

Mohawks voice finally heard at UN

By Jim Windle
NEW YORK

The Mohawk Workers delegation of Bill Squire and Ellis Hill were pleased to be able to open the litany of serious allegations and accusation against Canada and the British Crown to United Nations Special Rapporteur James Anaya, Monday in New York.

The Kanyengehaka (Mohawks) of the Grand River presented specific violations of the United Nations Declaration on the Rights of Indigenous Peoples which Prime Minister Stephan Harper reluctantly signed on behalf of Canada as the last nation to holdout.

Initially the delegation was given 10 minutes, maybe 20, but through a turn of events, the Mohawks were given a full hour to state their case. Anaya has promised to visit again with the Mohawk Workers when he comes to Canada in the near future to investigate these and other allegations of human rights violations against people and Nations of the original inhabitants of what is now known as Canada, and to hear more from the Mohawk perspective.

"It went really well," said a tired but encouraged Bill Squire upon his return Tuesday evening.

Among the violations the Mohawks presented to Anaya and two members from the World Court in Geneva, Switzerland, were the UNDRIP document which states in article #1: "Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law."

The Mohawks contend that due to the rule of continuity, a state does not disappear and reappear; it remains the same actor and is bound by past obligations. Just as Germany is responsible for the acts done by Nazis; South Africa is responsible for apartheid government crimes; so too is Canada responsible for apartheid government crimes. The binding force of obligations is normative – by way of relations with other states.

As evidence that this most basic premiss of the Declaration has been and is currently being violated, they point to the Indian Act, section 20, which states: "Possession of lands in a reserve 20. which says; No Indian is lawfully

ly in possession of land in a reserve unless, with the approval of the Minister, possession of the land has been allotted to him by the council of the band.

20. (4) Where possession of land in a reserve has been allotted to an Indian by the council of the band, the Minister may, in his discretion, withhold his approval and may authorize the Indian to occupy the land temporarily and may prescribe the conditions as to use and settlement that are to be fulfilled by the Indian before the Minister approves of the allotment."

But the Mohawk delegations states, "There are numerous other prima facie examples of government apartheid and other violations of recognized human rights including Canada's policy of imprisonment by race as evidenced by inter alia, former Supreme Court Justice Frank Iacobucci's "alarming" February 26, 2013 report recognizing that our people face "systemic racism" within the Ontario provincial justice system. Great Britain and Canada's depraved residential school genocide including Canada's current policy to conceal evidence and neglect to prosecute plain and obvious crimes against humanity constitutes perhaps the most egregious example of deviousness and repugnancy demonstrated by a state in our peoples' history."

They are seeking redress from Canada and/or the Crown, in the form of acknowledgment of the title Ted Squire carries for his people, and the Kanyengehaka of Grand River's inherent right to full autonomy including sovereign self-governance (true democracy according to our tradition and beliefs, pursuant to the Law of Great Peace) within our Grand River allodial territorial homeland as pledged, without interference, of any kind on the part of the state of Canada including derived entities and corporations.

2. Full recognition of Canada's obligations in respect of succession of Great Britain's covenants and treaty obligations; in particular the Royal Proclamation of 1763, Haldimand's Pledge of 1779, Haldimand's Proclamation of 1784, and the 1713 Treaty of Utrecht.

Full compensation for all damages including apartheid, genocide and lands usurped and corrupted without color of right.

UNDRIP Article #3: Indigenous peoples have the right to self-determination. By virtue of that right they

freely determine their political status and freely pursue their economic, social and cultural development.

The Mohawk Workers complaint to the UN is that: On October 7, 1924, the RCMP stormed the Six Nations Council House, dissolved the Confederacy, and forcibly imposed an elected Band Council in its place, forcing traditional chiefs who carried titles for our people to assimilate - or face persecution. A "homogenous culture" was promoted, and forced assimilation has increasingly become Canada's endorsed and implemented acculturation strategy. The elected band council system remains in place to-date notwithstanding persistent unsuccessful attempts to return to our traditional system which remains fractured and suppressed."

In the form of redress, they are seeking "Assurances that Kanyengehaka will no longer be forced and expected to adhere to alien laws without our prior and informed consent in accordance with Queen Anne's Order in Council dated 10 July 1704 recognizing my people's original jurisdiction."

Section 4. Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

They note that: Queen Elizabeth recognized most recently in 2013 that the Kanyengehaka (Mohawks) of Grand River as her allies and conveyed her greetings to our people distinctly. She has agreed to act within the capacity of her Governor General on the advice of her Canadian ministers in respect of our territorial appeal in respect of inter alia, our Grand River Homeland, an accounting for the period 1784-1867, etc.

Under the forcibly-imposed Indian Act and elected Band Council regime, the Mohawks say, our people must struggle in order to exercise any right to meaningful self-determination or traditional self-governance. Aside from our ally, Queen Elizabeth, recognition by Canada and on all state levels remains obsolete. Autonomous traditional functions were dissolved and utterly eliminated and an oppressive and discriminatory practice of Federal funding maintains and fosters nepotism, corruption and discrimination. The elected council and our

communities must thereby adhere to all Federal and Provincial polices without the opportunity to participate in decision-making at such levels. The Six Nations Elected Band Council's municipal-modeled assimilation regime enacted, controls and currently funds a Ceremonial "Haudenosaunee Confederacy Council" which in turn controls an entity known as "Haudenosaunee Development Institute" or HDI who employs Ontario Lawyer Aaron Detlor. Despite expenditures of millions by both State-funded councils annually in legal costs in respect of Grand River territory dispute negotiations without our people's consent, to-date neither a scintilla of land, nor a single reparation payment has been achieved.

In terms of compensation, they seek: Compensation and redress for damages and suffering caused at the unclean hands of the states of Canada and Great Britain, including the delivery of an accounting, and proportionate return of all "Indian Trust" monies taken or otherwise derived by the state from the part of our people enabling our people to exercise self-determination, autonomy and independence.

Also, undertaking on the part of the State of Canada to Queen Elizabeth to act within the the rule of law including customary and obligatory British covenants, treaties and proclamations and introduce / demonstrate measures including a functional mechanism to hold relevant levels and derived entities to these obligations within its federal capacity in respect of our territorial appeal in respect of inter alia, our Grand River territory, an accounting for the period 1784-1867, etc.

They also brought to attention the works of Caledonia agitator Gary McHale and his Canadian Advocates for Charter Equality or CANACE as being, in their opinion, racist and a direct violation of Article #8 - Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9. Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

The Mohawks say, "apartheid in South Africa was

based upon the Canadian reserve system experience. The punitive effect of internationally-imposed sanctions finally brought about an end to South African oppression. Meanwhile Canada's assimilation, genocide and apartheid remains unaddressed, uncurbed, and unacceptable in that our people continue suffer the denial of the right to our own Nation in accordance with our traditions and customs."

They are seeking a formal declaration and commitment to end apartheid within Canada at all state levels.

There are many other issues addressed in the presentation material including references to the Walton International land development at Tutela Heights which they and local citizens have been standing in opposition to.

Also, the City of Brantford's assumed authority over lands the Mohawks believe have never been ceded were cited.

Ayala has not set a date for his promised visit to Kanata to discuss these and many other issues at length, but assured that he would.

To see the entire presentation go to <http://mohawk-workers.wordpress.com>.