

Akwesasne presented with \$240M land claim settlement offer

By Nahnda Garlow

AKWESASNE - The Government of Canada has presented the Mohawk Council of Akwesasne (MCA) with a \$239,808,436.00 "full and final settlement" offer for the Tsikaristisere/Dundee Specific Land Claim submission.

The specific claim for the Dundee lands, on the South shore of the St. Lawrence River just next to Cornwall, is approximately 20,000 acres.

According to the band website in the early 1800's Dundee lands were leased out to non-Mohawk settlers either by Akwesasne Chiefs or with the involvement of the Crown. However none of those leases involved land surrenders by the Mohawks.

Land lease particulars and collection of rent was irregular and as those leases expired the Mohawks demanded a return of the lands. However in 1888 the Superintendent General of Indian Affairs came to Akwesasne and proposed the community surrender all those lands for a \$50,000 compensation.

As a result, there was record of an alleged land surrender signed by some on February 16, 1888 but according to the band website, "the Mohawks maintain that their intention was to reclaim the leased lands gradually rather than to surrender them."

One hundred years later, in 1988, the MCA launched their specific land claim against the federal government seeking resolution to the Dundee lands. Although talks regarding the claim broke down in the 1990's; the band examined their case and it

was re-ignited when the band submitted additional research.

According to a statement issued by the MCA, included in this final resolution between the Akwesasne Mohawks and Canada there is also an opportunity to have up to 18,282 additional acres of land turned into reserve lands subject to Canada's "additions to reserve" policy. "This additional land covers lands owned and lands to be purchased by the Mohawks of Akwesasne on a willing seller and willing buyer basis," said the MCA in an emailed statement.

The MCA states the lands at Dundee are environmentally sensitive and both parties have stated their joint intention to protect the area.

The MCA will also, if they accept this offer, hold a community referendum during which the community will be taken through educational community focus sessions. The sessions will educate members of the community on the history of the land claim, the details of the compensation the federal government is at this time offering and how the ratification process will take place if the community chooses to accept the offer.

Schedules for the sessions will be posted on the band website and Facebook page.

If accepted this settlement will mean the closure of a nearly 30 year engagement process with the federal government and Akwesasne over the specific matter of the Dundee lands.

The Canadian federal government began its specific land claims policy in 1973 to deal with outstanding treaties

Canada had not respected. Since the beginning of the specific claims process the federal government has settled approximately 390 claims through negotiating with First Nations communities.

According to Aboriginal Affairs and Northern Development Canada in the Province of Quebec 52 specific claims are currently in progress.

Although AANDC states that in Quebec 94 specific claims have been concluded — 41 of those claims held "no lawful obligation" and 24 cases are listed as "file closed". That means just 26 out of 91 submitted specific claims were resolved by actively negotiating with the First Nations community affected.