

C-10 given Royal Assent, now Canadian law

By Jim Windle

SIX NATIONS — The second shoe has hit the floor with the passage of Bill C-10 last week in Ottawa. The controversial bill intended to criminalize those who draw their living from the Onkwehon:we tobacco trade received royal assent, making it law.

There have been diplomatic efforts by Indigenous business people and governing councils to at least stall the Bill until the matter can be looked at from a cultural, treaty and Indigenous Rights perspective, but to no avail.

Hundreds of Six Nations families make their living from the trade of tobacco, which, it is argued,

is protected under many treaties and declarations, including the United Nations Declaration on the Rights of Indigenous Peoples.

It is unclear what the government's next steps will be to force taxation on the reserve, but there have been many strategy meetings held across Six Nations on how to combat the Bill and resist it once passed.

Six Nations Police Services have already stated they will not enforce the law on Six Nations territory, considering it to be a politically-motivated law directed against Onkwehon:we rights to free trade and economic development.

There are very few issues which have galvanized the community more than this intrusive bill. Both the Elected Band Council and the traditional Haudenosaunee Confederacy Chiefs Council have rejected the Harper government's unilateral Bill C-10 by way of letters, as have the Mohawk Workers.

Under the guise of public safety, the bill, reportedly put in place to stem "trafficking in contraband tobacco," is the Harper government's latest ploy to derogate from existing treaty and Aboriginal rights. It has been seen as a direct attack on First Nations economy and another step towards assimilation.

Tobacco has been

a recognized trade good since long before European settlement in this hemisphere, and under the terms of most treaties made with the British Crown, is to be unhindered and immune from taxation.

"The Chiefs of Ontario are calling the latest Conservative bill a direct attack on the livelihood of First Nations people," says a joint press release from Ontario Regional Chief Stan Beardy; Six Nations Chief Ava Hill, Members of the Political Confederacy, Kris Green of the Six Nations Trade Collective and Chiefs from across Ontario.

"The act to amend the Criminal Code section dealing with trafficking in

contraband tobacco [was] introduced by the Harper government to specifically target the First Nation tobacco trade and was done once again without due consideration of the inherent and Constitutional rights of First Nations."

The Chiefs of Ontario is a political forum and a secretariat for collective decision making, action and advocacy for the 133 First Nation communities located within the boundaries of the province of Ontario, Canada.

Concerning the Bill, Elected Chief Ava Hill says, "They need to talk to us before they have any legislation. But about Bill C-10 they are not doing that and they don't want to. It's that

old Great White Father attitude of 'we know best.'"

Hill has been quoted as saying, "It's not contraband tobacco. We have been growing and trading in tobacco for hundreds of years. That industry is building the economy here."

To date, there have been no direct attempts made to police the new law, but many Onkwehon:we people who will be directly and negatively impacted by it are organizing for a possible showdown, should push come to shove. But one thing is for certain: Bill C-10 will not be enforced on Six Nations territory without a fight.