

Confederacy tells HDI to clear up Burtch problem

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"The Supreme Court was very clear that the elected council is the legal representative of Six Nations," he said.

But Detlor says its an attempt by Ontario to keep Six Nations bickering internally and back out of the Confederacy negotiated deal that brought down the barricades in 2006.

"We believe the band council should support the return of lands to the Confederacy, as (former Premier) David Peterson had agreed."

He said the band relies on the Isaac and Davies court case but the case was based on Six Nations having usufructuary use of its lands not fee simple.

"That means someone else

owns it and you can use it as long as you have their permission."

He said Isaac and Davies was determined on the fact that Canada held trust monies on behalf of the band, it did not deal with the land.

"So this is a wonderful opportunity to move forward with protecting the rights of the Haudenosaunee. If it comes back to the Haudenosaunee it comes back as something other that usufructuary. It address the whole issue of, are you allies or subjects?"

He said basing Six Nations rights on the Isaac and Davie court case "sets back Haudenosaunee rights by centuries."

Deltor said "Every First Nations group is saying you

can't apply it to our lands the only one saying it, is band council as a method of linking itself to power and control but by doing that, they diminish the future rights of future generations."

This past spring, Ontario Aboriginal Affairs Minister Kathleen Wynne signed a negotiations framework with the Confederacy but Montour called that agreement "bogus."

Montour said the issue had the potential to turn into a "nasty community issue" when Elliott mentioned he could have 20 men supporting him at the site "in a hurry" if anyone gives him "trouble" when he returns to work there.

Elliott claimed that Hill and Detlor were working inde-

pendently of Confederacy chiefs after saying he spoke with Onondaga Chiefs Pete Skye and Arnie General, who he claims had "no idea" what was happening with the Burtch lands. But Onondaga Chief Pete Skye said Elliott came to his house and woke him from his sleep. "I was still in my pyjamas and I couldn't help him right then. I just woke up."

Hill said she had spoken with Elliott and told him to go after DST for lost wages, but Elliott said he was going to consult a lawyer to go after the HDI instead.

Montour told Elliott he would instruct the company that band council has authorized work to resume

Confederacy chiefs instructed the HDI to work

with Elliot to help him recover lost wages on the clean-up.

At Saturday's Confederacy meeting, Mohawk Chief Allen MacNaughton told Elliott that the Confederacy respected the work he and his company were doing and said unfortunately, he had been caught in the middle.

Onondaga Chief Arnie General was dismayed at the thought of the land going back to band council.

"I'm very dismayed at what's going on," he said. "Why did band council get involved when it's not their territorial right? They don't have the authority to deal with the land base. They're just an administrative body."

Detlor could not provide an

estimated timeframe of when work will resume but said the HDI is currently in talks with Infrastructure Ontario and Aboriginal Affairs to sort out the "miscommunication" on the details of the clean-up project.