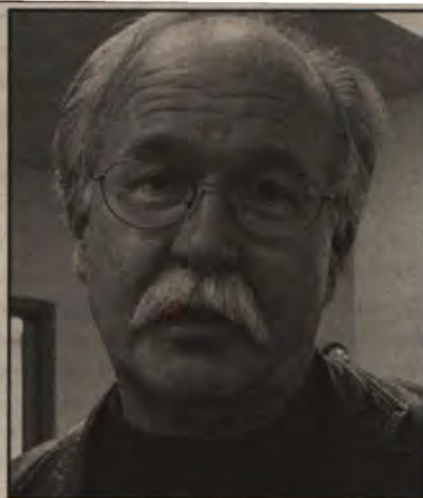


Negotiations resume after seven months apart



Tom Molloy



Ron Doering



Allen MacNaughton

Continued from Front

pensation is to be assessed by considering a wide range of factors, and not simply by applying a mathematical formula and arriving at a number. This is not to say that various calculations did not inform our assessment; they did, and we have shared with you some of what those calculations involved."

Doering said that it was unreasonable to suggest that the sum should be derived from the initial worth of the land with compound interest since 1829.

Another issue that needs to be discussed is if the two parties are able to reach a settlement (as stated in the response), Canada would require a complete sign off on the land by Six Nations.

"It seems unreasonable to expect the Crown to fully compensate for the flooding and loss of use and value of the land without receiving, in exchange, the certainty that the very same lands will not then be subject to further claims or occupied at will by Six Nations' individuals."

The Crown's response also said that although it was possible to explore the Haudenosaunee regaining jurisdiction over its lands and people, they wouldn't fully be immune to Canada's laws.

"It is possible to explore arrangements that recognize Haudenosaunee Six Nations' jurisdiction over its lands and its people. However, we could

not agree to unrestricted use of these lands such that they would be completely immune, in all circumstances, from any federal or provincial laws."

MacNaughton and Doering both agreed that the relationship between Six Nations and the Crown needs to improve before talks can progress.

"The biggest thing that we're concerned with and we've expressed this, our concern is that we are still not being treated as a government," said MacNaughton. "We're not being recognized and treated as individuals and our people are being arrested and development continues as we try to resolve these issues. We are very concerned about that."

As the negotiations were starting a development stoppage was taking place in the west end of Brantford. Approximately a dozen Six Nations' individuals stopped the Empire Homes Estates from furthering development of a sub division due to lack of consultation. MacNaughton addressed this point at the meeting, but Doering didn't engage in that aspect of the conversation.

When MacNaughton was asked if the feds or province would return to the table as long as development was being halted he responded with what he believes Six Nations has to discuss.

"The question is will we keep coming to the table as long as there's still development and it's a question

that we are going to have to seriously consider," said MacNaughton.

In the event that the negotiations fail to produce an agreement the Six Nations side of the table have suggested an arbitrator or mediator be brought to the table.

"We are certainly discussing the aspects at this time. There are pros and cons to having an arbitrator and mediator in and what those roles are," said MacNaughton.

Doering stated that the Crown's position is against mediation or arbitration.

"We are not prepared at this time to agree to arbitration. Presently, a judicial resolution to all or some claims and issues is an alternative to negotiation that Canada would be willing to discuss."

Both sides of the table are also far apart on the topic of land return to Six Nations.

Doering said that the po-

sition of the federal government is that land, agreed upon by both sides, could be purchased by Six Nations with funds out of settlement money.

As Allen MacNaughton has stated at previous negotiations he doesn't find it reasonable that Six Nations would purchase lands that they already hold title too.

The parties won't meet again until February 25th to further discuss the issues.

During this month apart both parties have agreed to look at the whole process and consider ways that negotiations could be more productive.

"What we basically want to do is look at the process because we want to be productive. We want to demonstrate that negotiations is the way to go," said Doering. "If we are going to get people to believe that we have to have

some progress."

Doering also said that he would like to see the closure of the side tables. He said that they may have been relevant at some point (concerning the DCE) but they are now hindering the speed of negotiations.

"We don't need a main table that simply repeats what the lands table table did," said Doering.

MacNaughton didn't comment on whether he considered the side tables relevant. He did say that there was no discussion concerning that during the meeting.

"That was something that Ron said after the meeting closed, he was just stating his opinion," said MacNaughton.

The Crown also responded to the suggestion by Six Nations for future negotiations. Doering reported that the Crown's view is to reject the

proposal for new legislation requiring the three parties to negotiate. He also said the specific and comprehensive claims policies do not limit the federal, provincial and Six Nations negotiations but indicated that federal policy or "law applying to Indians" might govern negotiations in some cases.

Tom Molloy, new provincial negotiator taking the place of Murray Coolican said his first day at the table was good. He indicated that despite being briefed on the issues it was completely different in hearing from the parties at the table.

He was limited in comments and just stated that it would take several meetings to get to know the people.

All parties will return on the 25th of February, where a regular meeting schedule (possibly up until June) may be set.