

Joint Offer for a New Understanding Among Six Nations Canada and Ontario

**Note: All references to "Six Nations" in this document include both the
Haudenosaunee Six Nations Confederacy Council and the Elected Council.**

There is a common desire of Six Nations, Canada, and Ontario to address the issues which have common roots in the past and which will affect relationships into the future.

The traditional beliefs, values, and practices of Six Nations need to be better understood by Governments and local interests, and need support to ensure that they help form the basis of the future development of the entire Six Nations community. We need to address these matters particularly as they relate to the Haldimand Tract.

Crown governments have a duty to consult Aboriginal people whenever their activities may negatively impact Aboriginal and Treaty rights. Canada and Ontario agree to work with the Six Nations community to put in place appropriate measures regarding the implications of the recent Haida, Taku and Mikisew Cree Supreme Court of Canada decisions dealing with the Crown's duty to consult with and accommodate, where necessary, Aboriginal people..

Six Nations, Canada and Ontario all accept the importance of a continuing dialogue on matters relating to Six Nations community development in the Haldimand Tract. This dialogue offers an opportunity to discuss in much greater detail the impact of development in the Haldimand Tract and to gain an understanding of Six Nations' views of its rights and interests with respect to this development.

Governance and Decision Making Within the Six Nations Community

The Government of Canada is committed to providing financial support to the Six Nations so that they can develop a process to discuss governance of the community, including associated land issues. Funding would be accessible to both the elected and traditional councils.

Progress in these discussions will provide an important context for moving forward on the other initiatives relating to the past and future of the Haldimand Tract.

Development Matters

It is understood that land is a central issue for the Six Nations community. The integrity of Six Nations land and the impact of development in the area are matters that require further discussion.

Haldimand County has proposed the idea that it would maintain official plan agricultural land designations between urban Caledonia and Six Nations in order to address Six Nations' concerns about urban expansion that may impact the reserve.

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Ontario has land holdings in the area of the Six Nations reserve, notably the former Burch Correctional Facility, the south Cayuga lands, and the Townsend land assembly. [See attached Backgrounder]. In recognition of the development pressures in the Haldimand Tract, and to help support the future development of Six Nations, Ontario is prepared to immediately start discussions about how to make these lands available to the community. Ontario proposes that any lands made available pursuant to these discussions would be credited or set off against any lands transferred pursuant to any claims settlement agreements.

Ontario and Canada would provide resources to assist Six Nations in developing and maintaining the capacity to assemble these and other lands as they come into Six Nations hands over time.

Claims Issues

Resolution of past grievances is essential to developing forward-looking relationships among Six Nations, Canada, Ontario and local interests.

Canada and Ontario are committed to further accelerating the process to address Six Nations claims. Recently, they agreed that the Samuel Jarvis and Port Maitland claims would be priorities in a special exploratory process. Ontario also commits to re-open discussions on the "30 Parcels" of unsold surrendered land as part of this process.

Canada commits to fast-tracking some of the current claims. The outcome would result in settlement payments to the community. This would require a ratification vote by all Six Nations members.

Canada commits to facilitating the addition to reserve lands that Six Nations acquires over time.

Canada also commits to re-instating research funding to the Six Nations community to research land and resource issues.

Canada and Ontario commit to provide funding for public education regarding land claims, both internally and externally.

Douglas Creek Protest

The Councils of Six Nations commit to taking action to end the protest at Douglas Creek Estates immediately.

Next Steps

Canada and Ontario commit to negotiating with the Six Nations community a detailed agreement and work plan within one month to implement the commitments, on the condition that the protest comes to an immediate and peaceful end.

Background: Ontario Government Land (Terms for a New Understanding)

Possible Ontario Land Assembly Options for Discussion

Burtch Correctional Facility

- 380 acres
- about 3 miles west of the Six Nations Reserve
- vacant building on site
- previous expressions of interest in this specific property from Six Nations community

Townsend Land Assembly

- 1,360 acres of farm land
- located 6-7 miles south of the Six Nations Reserve; not entirely in a contiguous block

South Cayuga Land Assembly

- 4,700 acres of farm land
- located 15-25 miles southeast of the Six Nations Reserve, between the Grand River and Lake Erie, west of Dunnville
- made up of a number of large blocks, but not all contiguous