

From: Heather Majaury
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Dear Algonquins of Ontario

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cc: Relevant Provincial and Federal Members and Ministers of Parliament *(full list at end of document)*
cc: Ottawa Citizen Editor, Andrew Potter

I am writing this letter to express that I intend to vote “No” when it is time to vote on the actual Agreement in Principal as it stands at this time. This “No” vote stands, when the AIP is put forth for a vote, if it remains in its present wording and form. I would like to feel confident to vote yes but although it is stated that this is not a legally binding document it does set the framework for what will be negotiated and how.

I intend to vote “No” for the following reason(s):

1. I feel that a one time buy out of \$300,000,000 is unsatisfactory and runs counter to an ongoing relationship of mutual responsibility and respect between the Algonquin Nation and the Nation State of Canada. Also, it contains no intention for ongoing revenue streams for the Algonquins of Ontario in its entirety, based on the sharing of valuable resources, which include real protection of the environment. There is talk of some employment opportunities but that certainly is not a stakeholder relationship with protected jurisdiction beyond limited projects. Therefore the proposed deal is unsustainable for future generations. This deal does not allow us to truly share in the bounty of the fruits of the land where we are from and where we reside. That does not in any way mean I am opposed to the creation of sustainable and lucrative employment for Aboriginal people. Quite the opposite. I fear this is simply another and most recent arrangement to assimilate us into the Canadian body politic, and workforce, so as not to respect our special relationship to the land as Indigenous people. I might add we are a collective body of people who have been molested in our lands since the time of the Royal Proclamation of 1763 and the Treaty of Niagara through the forming of the Dominion of Canada and the bringing home of the Canadian Constitution to this present day. This current AIP is woefully unsatisfactory within the context of true and committed reconciliation.

2. I see no intention for the sharing of revenues from the natural resources of the territory in the form of ongoing percentage payments to the Algonquin Nation for the privilege of extracting wealth from our territory in its entirety regardless of private land patents.

3. The land that is being taken away from our jurisdiction is worth much more in a regular market than what is being cited to us in this document as compensation for the future.

4. Microscopic amounts of land that are returned to us as fee simple should not be considered the compensation. The land is already ours. The fact that the nation state illegally over time stole much of our original territory is not the fault of the Algonquin. It is a burden of the state to reconcile. It should not remain a burden of the Algonquin. Thus if Algonquins are not able to benefit from that land due to private patents created without our consent then the Government of Canada needs to pay Algonquins on an ongoing basis in compensation for being barred from such lands. The ongoing wealth and sustenance from the original land base need to be provided in the most reasonable manner. Such provision must ensure that the human rights, Indigenous rights and culture of all Algonquin people are protected and served. In the instance where identified sacred lands are captured in illegal historical acquisitions these lands should not be further developed at this time. They should be protected and returned for the enjoyment of all. In the instance where such sacred lands have already been developed then actions should be taken to restore if possible. And/or recognize the significance of the land that has been stolen and fair recompense made. If one time recompense that is fair is not attainable then ongoing recompense needs to be negotiated and fulfilled that is directly related to past grievance ignored and never fulfilled.

5. 117,500 acres is a postage stamp approach to reconciliation. It is no longer considered acceptable in light of the United Nations rejection of the "Doctrine of Discovery." Such a flawed and outdated doctrine can no longer be used as an underlying principal for the justification for claiming jurisdiction and holdings of Indigenous property by Nation States. This also is in keeping with the spirit of the Declaration of the Rights of Indigenous People's which Canada is now a signatory.

6. The comprehensive land claim process does not conform to what would be considered an acceptable domestic remedy to past grievance in our context or within an International context and the amount of time this agreement is taking is also not reasonable in terms of satisfying what would be considered a domestic remedy. It is taking this long because of the ambiguity of the policy itself, the inappropriate financing of the process, and the lack of will on the part of the Federal Government to truly respect ongoing original title. Our nation must extinguish title to vast parts of land to settle with your government.

7. If this is indeed the only land or property left for Algonquins to derive a collective sustainable living from, providing for our human rights and cultural needs, and protect us from further encroachment, then it must be returned without any requirement of payment on the part of the Algonquin nation and be under the full jurisdiction of the Algonquin nation. Of course there are intersections of shared responsibility and jurisdiction but Algonquin jurisdiction must be respected beyond simply a "fourth world" arrangement which compromises our self determination as a free people.

8. There are several areas of the identified territory at this time that are shared spaces with either Algonquins that live inside the boundaries that define current Quebec that must be protected as sacred lands and Algonquins who are Ontario based. An agreement to develop these locations specifically in the Ottawa River which is the heart of Algonquin Nation Territory and always has been without the consent of all of the Algonquin Communities on both sides of the River is a problematic endeavour that conveniently and illegally removes federal fiduciary responsibility to the Algonquin nation while desecrating sacred sites that are vitally important to the Algonquin people culturally.

9. I do not believe Algonquin people have been consulted in a manner that confirms consent. There are many Algonquin who seem not to know much about this claim and the details. A singular website is not enough. Community meetings where minutes are not accessible with records of decisions with actual recorded discussion does not confirm consent of anything. It simply states that some people were told some things. And at times people are being told different things depending on what list or community they are from.

10. There has been no properly drafted constitution that defines beneficiary or citizen and yet negotiations about specific properties have occurred on behalf of a body politic that is only partially formed. There remains incongruities in administration and acceptance, and communities remain in disagreement about criteria. This should be completed before any more formal negotiations occur.

11. Your current certainty and finality clause only benefits the Canadian State and leaves the Algonquin Nation with no recourse should the Canadian State not meet its obligations upon a final agreement.

“The Final Agreement will provide that the Algonquins release Canada, Ontario and all other Persons for all claims, demands, actions or proceedings of whatever kind, whether known or unknown, that the Algonquins ever had, now have or may have in the future, relating to or arising from any act or omission before the Effective Date that may have affected, interfered with or infringed any or all Section 35 Rights of the Algonquins in relation to lands and natural resources in Canada, other than the province of Quebec, and any other matter that may be specifically addressed in the Final Agreement.”

I assume indemnity in this context means security against or exemption from legal responsibility for one's actions. This needs to be made clear what is an indemnity in this context Why should Canada be absolved from all responsibility in its process of consultation if it is found to be in error?

12. I also see no mention of Section 25 Rights and without this awareness respect and inclusion informing this framework I cannot vote yes to the current AIP.

13. Finally I see no commitment to a process that incorporates Algonquin Anishinaabeg legal and language concepts into the framework therefore I fear the entire process is biased in serving the western colonial system and will not generate a truly equitable agreement that honestly protects Algonquin interests within the meaning of the original Treaty Belts that were exchanged in 1774 between the British Crown and the 24 Nations. Without reference to such underlying frameworks and only referencing the Proclamation of 1763 without addressing Section 25 of the constitution, this AIP falls short of a framework I can trust going further. A framework although not legally binding at this time carries influence and weight and must have integrity. That integrity means making an agreement between Canada and the Algonquin Nation that satisfies International law and my own personal conscience. The language in this document does not express or reflect Algonquin cultural values and concepts including being drafted in both French and Anishinabemowin — Algonquin dialect. I do not see Algonquin legal principals as justifications for decisions. Only the legal principals of the nation state. I desire to know exactly how this framework harmonizes with the International Declaration on the Rights of Indigenous Peoples now that Canada is a signatory.

14. There are no damage payments separate from the \$300,000,000 to acknowledge the pain and suffering to generations of Algonquin people and the impact of land and cultural theft on the actual lives and wealth of individual Algonquins that form the collective. Without concrete acknowledgement of the many ways Algonquins were swindled out of their birthrights there is no healing.

15. The current hunting agreement which is simply a preferential tag system emulating the recreational hunt does not reflect the values of Algonquin people. Nor does it give us real power of jurisdiction within the boundaries of our territory.

16. There is no mention of other interim agreements that ensure,

a) Ongoing geneology and enrolment that is protected and serviced properly between political events like elections.

b) Provisions for guaranteed housing that meets human rights standards inside the territory because housing is a human right.

c) Integrated Anishinaabeg Education with the regular school system throughout the territory so that all children learn of the rich history and ongoing culture that we protect and represent. Not a general curriculum without resource support but actual funded programs targeted to serve this territory and the children of Algonquin families in a way that fosters self esteem pride and good relationships with neighbours. It is imperative that we can also ensure that we and our children have access to original language and other training including time to be in the bush with family to learn traditional hunting gathering etc. as part of recognized curriculum if a family chooses and desires, on or off reserve.

d) Affirmative action policy and practice for Algonquin people is instituted within the territory as blanket legislation in all industries and economic sectors while negotiations are taking place.

e) Concrete parameters for facilitating and ensuring the right of return to the territory for Algonquins forced out of the territory systemically in this generation or past generations.

f) Concrete protection and jurisdictional co-management of Victoria island in a manner that honours Elder William Commanda's vision for Victoria Island with Kitigan Zibi and the other Algonquin Communities on both sides of the Kichisibi.

Without such interim agreements then you are forcing Algonquin people to negotiate from a serious deficit that handicaps our ability to assert our rights and jurisdiction in an empowered manner that focuses on true needs.

17. Negotiations should be fully funded with no expectation of loan since it is our land that has been inappropriately taken from us with no recompense ever as there is no previous treaty ceding anything. The idea that loans are simply added to and come off of the final loan agreement means that First Nations are strong armed into holding a debt that is not ours in the first place. Whether that debt is held in a trust or not. It effectively limits the financial self determination of those negotiating and places the original nation at a severe disadvantage in the negotiations, where we run the risk of being strong armed to settle, terminate title and rights, to be released from debt.

18. The Chaudiere Falls is a sacred site of the Algonquin people from both sides of the Kichisibi (Ottawa River). All properties within and under the riverway carry special significance as the heart of the traditional unceded territory of the Algonquin as a whole and need to be protected as such. Therefore any attempt to build condominiums through a private arrangement at this time is highly suspect regardless of private patents illegitimately acquired over time. If the Government of Canada has over time sold sacred lands for private use then it is the Government of Canada that must rectify this problem with the land holders that are now harmed by its failure over time to respect Algonquin lands and people from molestation. If promises have been made to employ Algonquin companies then those arrangements need to be fulfilled and another site chosen for the actual development.

I intend to talk freely with all friends and family about my concerns and reasons and will encourage them to vote no as well at this time. I would like to change my stance in the future and I look forward to a more positive equitable and concrete AIP that reflects Algonquin world views, laws, and value much more effectively than this current draft.

I do not feel that the Algonquins of Ontario at this time have drafted a Preliminary Draft Agreement that I can support if this is the one proposed for vote to continue negotiations.

From what I have read and with an understanding of recent conversations at the United Nations cited below there is much to be done to ensure that our Nation is dealt with in a manner that conforms to international standards.

“The land claims policy was one of the main targets of the distinguished international jurist, Anja Seibert-Fohr (Germany). In the open session on July 8, she said she was very concerned that “disputes over Indigenous peoples’ rights to benefit from and control lands are continuing.” Part of the problem, she suggested was “the uncertainty of the scope of aboriginal titles and rights.” She failed to understand why “constitutionally protected aboriginal rights are not specifically defined in legally enforceable terms” in a way that reflected their rights in Section 35 of the Canadian constitution.

When the Canadian Aboriginal Affairs spokesperson, François Weldon, said Canada prefers a case by case approach Seibert-Fohr replied: “It appears to me that the case by case approach is the very reason for the problems faced by aboriginal communities. I would think a clear document would help define future rights as well as present ones.

Seibert-Fohr also brought up the question of extinguishment of Aboriginal title and rights and pointed out it was something that the international community had criticized several times in the past 15 years.”

I require acknowledgement of my correspondence from all parties contacted for my personal records so that I can confirm that my concerns have been seen and how they are being addressed.

I am positive about the turn of government that has occurred federally and I hope to see true change when it comes to the way this Nation State conducts its relationships with Aboriginal people across Canada. Of course this issue is of primary concern to me personally and closest to my heart in terms of ongoing and true reconciliation both internally within my Nation and externally with both the Federal Government and the Government of Ontario.

Sincerely,

Heather Majaury

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PS. I have included maps to situate and compare with regard to the land base I am specifically discussing.



Because this is what **1.3%** of our land looks like & requiring land surrender is **Genocide.**

Don't Comply... **Just Vote** **NO**

The **Algonquin Landclaim A.I.P.** (Agreement in Principal)

The complex block features three vertical panels. The left panel has a red background with white text. The middle panel has a white background with a map of the Algonquin region, a large black 'X' over it, and the text 'Don't Comply... Just Vote NO'. The right panel has a red background with white text.

List of cc'ed addressees:

cc: Federal MPs in Algonquins of Ontario Landclaim Territory
Andrew Leslie, Greg Fergus, Steven MacKinnon, Anita Vandenbeld, Maurel Bélanger, Chandra Arya, Gordon Brown, Anthony Rota, Piere Poilievre, Catherine McKenna, Scott Reid, Cheryl Gallant, Bardish Chagger

cc: Ontario MPP's in Algonquins of Ontario Landclaim Territory
Hon. Bob Chiarelli, Steve Clark, Victor Fedeli, John Fraser, Randy Hillier, Marie France Lalonde, Jack MacLaren, Lisa MacLeod, Hon Madeleine Meilleur, Hon. Yasir Naqvi, John Yakabuski

cc: MP Waterloo, Bardish Chagger, Liberal Party of Canada
cc: MPP Waterloo, Catherine Fife, NDP Party of Canada

cc: Ontario Minister of Aboriginal Affairs David Zimmer
cc: Ontario Minister of Education Liz Sandals
cc: Ontario Minister for Poverty Reduction Strategies, Deborah Matthews
cc: Ontario Minister for Agriculture, Food and Rural Affairs, Jeff Leal
cc: Ontario Minister of Municipal Affairs and Housing, Hon. Ted McMeekin
cc: Ontario Minister of Natural Resources and Forestry Hon. Bill Mauro
cc: Ontario Minister of Economic Development, Employment and Infrastructure, Hon. Brad Duguid
cc: Ontario Premier and Minister of Intergovernmental Affairs, Hon. Kathleen O. Wynn

cc: Prime Minister Justin Trudeau
cc: Federal Minister of Indigenous and Northern Affairs, Carolyn Bennett
cc: Federal Minister of Innovation, Science and Economic Development, Navdeep Bains
cc: Federal Minister of Justice and Attorney General of Canada, Jody Wilson-Raybould
cc: Federal Minister of Public Services and Procurement, Judy Foote
cc: Federal Minister of Health, Jane Philpott
cc: Federal Minister of Families, Children and Social Development, Jean-Yves Duclos
cc: Federal Minister of Heritage and National Capital Commission, Mélanie Joly
cc: Federal Minister of Natural Resources, Jim Carr
cc: Federal Minister of Environment and Climate Change, Catherine McKenna
cc: Federal Minister of Employment Workforce Development and Labour, MaryAnn Mihychuk
cc: Federal Minister of Infrastructure and Communities, Amarjeet Sohi
cc: Federal Minister of Democratic Institutions, Maryam Monsef
cc: Federal Minister of Status of Women, Patricia Hajdu