



July 11, 2022

Friends and mayors, councillors and municipal administrators in the Haldimand Tract,

I write on behalf of Six Nations of the Grand River (SNGR) in the hope that you – the elected leaders of your communities – can begin the hard work of advancing reconciliation and properly recognizing our rights to the Haldimand Tract and to lands on which your towns, cities and villages are situated. This work can begin with the simple act of properly acknowledging our territorial jurisdiction but must also include proper and respectful consultation with the elected council of Six Nations of the Grand River as the proper representatives of the Haudenosaunee entitled to the Haldimand Tract. We invite each of your councils to reach out to us to arrange a meeting to discuss this.

Six Nations of the Grand River is an independent First Nation formed of the Haudenosaunee peoples entitled to the full treaty and land rights owed us by the Crown under the Haldimand Proclamation in accordance with the Crown's own laws and treaty obligations. The current Six Nations Reserve #40 is what remains exclusively reserved to SNGR of the traditional and treaty lands belonging to the Six Nations community. We are the only reserve under Canadian law on which all six Haudenosaunee nations live.

Originally, the Haldimand Tract, which was within the Haudenosaunee 1701 Nanfan Treaty area, was set aside for and granted to the Six Nations of the Grand River in recognition of the critical Haudenosaunee contribution to the fight against the American Revolutionaries and in compensation for the losses we suffered as a result. The Crown granted us the land six miles deep on either side of the Grand River from its source to Lake Erie and promised it would be protected for us and our descendants forever. To this day we have never ceded our jurisdiction over this land. Almost immediately, successive governments broke faith with us, eroded our territory, and reaped the economic benefit that was supposed to secure a bright future for our people.

After many years of fruitless efforts to have the Crown respect our rights, SNGR began legal proceedings in 1995 against Canada and Ontario for restitution for our lands in the Haldimand Tract and the misappropriated funds the Crown had held in trust for our people. This trial is scheduled to commence in 2023. As we pursue justice, we ask that all municipal, provincial, and federal officials and political leaders recognize our unique claim to this significant tract of land.

Today, Six Nations of the Grand River territory is in the midst of some of the most highly urbanized and valued land in Canada. Development continues on our traditional territory without adequate consultation and accommodation with our community's chosen representatives. This inhibits and undermines our ability to exercise our Aboriginal and Treaty Rights set out in the treaties themselves, and also as recognized and affirmed in Section 35 of the *Constitution Act, 1982*. It also undermines the process of reconciliation that is supposed to create a better future for all Canadians but especially Indigenous peoples.

Certain provincial officials have created confusion for municipalities and developers within the Haldimand Tract concerning whom they must consult with when development is proposed in our territory. The Supreme Court of Canada has confirmed and recognized the elected Chief and Council of the Six Nations of the Grand River as the only legitimate government of our Nation. The law is clear that it is the elected government of the Six Nations of the Grand River with whom any consultation concerning development in the Haldimand Tract must occur. The United Nations Declaration on the Rights of Indigenous Peoples also

makes it clear that consultation must be undertaken with the Nation's own governing institution – in this case the duly elected Council of Six Nations of the Grand River. No official of the Government of Ontario can change this.

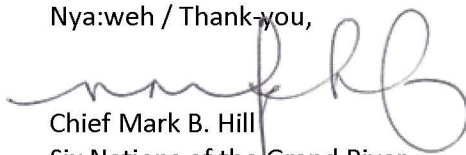
The elected Chief and Council of Six Nations of the Grand River are uniquely accountable to the SNGR community, and our deliberations and governance are marked by transparency. We report and are answerable to our community members. For this reason, consultation processes or discussions may not be held without the prior consent, awareness and involvement of our Chief and Council. We serve our community and its interests, and we are not responsible to provincial bureaucrats or politicians. As its elected leaders, Chief and Council are responsible for internal consultations and for the political integrity of our community. As land continues to be developed throughout our traditional territory, coming to the table as a united community is a precondition for a just consultation and accommodation process. No outside official or proponent may engage with any organization or individual that has neither legal standing nor accreditation by SNGR.

Six Nations of the Grand River is vibrant and diverse, and as a political community is indivisible. We hold our traditional leadership in high regard, maintaining ties of respect and frequent communication. But our reverence for their position and our traditions must not be used against us by external parties. Communication and consultation with our traditional authorities is our prerogative, as is the responsibility of building unity amongst our people. It would be unacceptable interference in our affairs for external bodies to engage in parallel discussions outside of the SNGR process. For municipalities, provincial officials or proponents to hold separate parallel discussions or consultation processes would not only divide our people but undermine the principle of governmental accountability in our community. The very idea creates suspicion and is seen as a 'divide and conquer' approach.

The jurisprudence of the Supreme Court of Canada confirms the relevant legal obligations to consult with First Nations. Six Nations of the Grand River requires that the Crown, municipalities, and, where required by the Crown, proponents consult with SNGR and its appointed Consultation and Accommodation Process team in good faith in order to obtain our free, prior and informed consent. As we are the consultative authority for our First Nation, the duty to consult is discharged by compliance with our established, accountable and transparent procedures. With our longstanding court proceedings commencing at trial next year, SNGR welcomes the opportunity to meet with all mayors, councillors and municipal administrators within our treaty lands, and we will be meeting with provincial authorities soon to insist on correction of their officials.

Six Nations of the Grand River are a sovereign and proud people, and our voice must be heard. Ensuring respect for Six Nations' processes and policies in these matters will enable us to pursue the economic advancement of our community, the revival of our culture and languages, the restoration of our full rights as a First Nation, the development of our self-governance, the protection of our natural environment, and the cause of truth and reconciliation. On behalf of Six Nations of the Grand River, I look forward to the support and collaboration of all of our neighbouring communities and to improved consultation and accommodation, and compliance with SNGR's stated policies and procedures.

Nya:weh / Thank-you,



Chief Mark B. Hill  
Six Nations of the Grand River