

**COMMUNITY DECISION-MAKING PROCESS**  
**KANIEŃ'KEHÁ:KA OF KAHNAWÀ:KE LAW**  
**SECOND HEARING, MEETING #2**  
**GOLDEN AGE CLUB**  
3, Onerahtókha/April 2018  
6:00 PM – 8:30 PM

**FINAL RECORD OF DISCUSSION**

**FACILITATORS:**

Joe Delaronde (Lead)  
Melanie Mayo (Co-Facilitator)  
Leslie Skye (CDMP)

**RESOURCE PEOPLE:**

Alexis Shackleton  
Kahsennenhawe Sky-Deer  
Arlene Jacobs  
Shari Lahache  
Jean Pommerville

**RECORDER(S):**

Katsistohkwí:io Jacco

---

- ❖ **Opening Address** – Katsistohkwí:io Jacco
- ❖ **Welcome/Respectful Behaviors/Process** – Leslie Skye
- ❖ **Proposed Amendments to the Kahnawà:ke Membership Law:**
  - Definitions: Common-Law Relationship, Iah teionkwehón:we, Kanien'kehá:ka Lineage, Onkwehón:we, Onkwehón:we Lineage, Regulation and Reside.
  - Registrar
  - Kahnawà:ke Kanien'kehá:ka Registry
  - Review of Registrar Decision
  - Community Review Board
  - Application for Recognition
  - Adopted Children
- ❖ **Next Steps** – Facilitators
- ❖ **Closing** – Katsistohkwí:io Jacco

**LEGEND:**

**TDC:** Technical Drafting Committee

**S:** Statement (by Community Member)

**Q:** Question (by Community Member)

## Definitions

1. **“Common Law Relationship”**: “means a conjugal relationship, not solemnized by a marriage ceremony, law or custom, between two persons who live together for at least five years and publicly refer to themselves as partners or spouses”.

### DISCUSSION:

**TDC:** Although consensus was reached on this definition with the five year timeframe, legal services advised that this timeframe is problematic. In the Law, common-law relationship is referred to regarding the revocation and suspension of entitlements. So for instance, if a Kahnawà:kehró:non has a non-Native partner, it would mean that they can live together in Kahnawà:ke for under five years. Therefore, we are proposing to eliminate the timeframe in this definition, because it is too restrictive.

**Q:** How does this relate to Quebec’s definition of a common-law relationship? If there is no timeframe, will it conflict with Quebec’s Law?

**TDC:** There will not be an interaction with what Quebec’s Law says.

**Q:** So it won’t conflict with Quebec’s Law?

**TDC:** No.

**Q:** I believe that it is important to keep a time stipulation. For example, if someone from Kahnawà:ke were to be dating a non-Native and live with them for a short period of time, would it mean that they will get their entitlements suspended? I don’t think that that is right.

**TDC:** We took out the timeframe.

**S:** Yes, and I’m saying it should be put back in.

**Q:** Are we talking about a common-law relationship on or off the reserve?

**S:** Off.

**S:** I don’t believe that we should have regulations for people who are living off the reserve and respecting the Law.

**TDC:** It applies for people living on reserve as well.

**Q:** So if I go out of town and date someone for two weeks, does that mean my entitlements will be revoked?

**TDC:** Entitlements will be revoked if a Kahnawà:kehró:non publicly identifies themselves as being in a relationship with a non-Native and is residing with them. A suggestion was made at the last meeting to know the context of the Law. We can defer this item and discuss it further when we get to the section on suspension and revocation of entitlements.

**S:** We should do it now because were on the definition.

**S:** It would be better to do it later on so that we know the context.

**TDC:** So are we going to defer this?

**S:** Yes.

### OUTCOME:

- **PARKING LOT ITEM.**
- **NO CONSENSUS.**

2. **“Iah teionkwehón:we”**: “means a person who has little or no Kanien’kehá:ka or Onkwehón:we Lineage pursuant to the regulation concerning the custom code method of calculation of Kanien’kehá:ka or Onkwehón:we Lineage, or is Iah teionkwehón:we entirely”.

### DISCUSSION:

**TDC:** This is the new proposed definition based on the focus group sessions held on March 22, 2018.

**TDC:** Can you have the term “Iah teionkwehón:we” in this definition since this is what is being defined? We can say non-Native entirely for the purposes of this law, because someone who doesn't know the language will not understand what it means. I think we should change it to non-Onkwehón:we or non-Native.

**S:** It should say Iah teionkwehón:we because it translates to non-Native.

**TDC:** But there are people who may have two great grandparents who will still be considered Iah teionkwehón:we.

**S:** According to the language, Iah teionkwehón:we means you're not native at all. You cannot change the meaning of our language.

**S:** I believe the definition should end at the second “Onkwehón:we Lineage” .

**TDC:** According to our elders and the custom code, Iah teionkwehón:we does not mean that an individual is entirely non-Native.

**Q:** Where did you think the definition should end?

**TDC:** It should end at the second “Onkwehón:we Lineage”.

**S:** I think you should change the “Iah teionkwehón:we” to “Non-Native”.

**S:** Can I suggest that you take out the word “has no”, and change it to “has neither”.

**TDC:** This is for both Kanien'kehá:ka and Onkwehón:we Lineage, so it makes sense to leave it as is. We can then write at the end “and is completely non-Native”.

*\*Asks Legal Counsel should it say if “Is considered to be completely non-Native”. According to Legal Counsel, there seems to be a difference in what the custom code says and what the definition means.*

**TDC:** Technically some people have lineage, as they can have two great grandparents. The term Iah teionkwehón:we it means you have no lineage. However, the way that the elders structured it in the custom code, you can have some lineage but still be considered Iah teionkwehón:we.

**Q:** Is the custom code specifically for the determination for the great grandparent?

**TDC:** Yes.

**S:** Well that is different from Iah teionkwehón:we.

**TDC:** Can we have two definitions for Iah teionkwehón:we in the same law?

*\*Legal Counsel states that it is impossible to have two definitions for “Iah teionkwehón:we” in the same Law.*

**Q:** When the elders did the custom code in the past, did anyone ever challenge it?

**TDC:** No.

**S:** Then I think the definition is appropriate as is, because were referencing the custom code, rather than saying the outright translation.

**TDC:** Agreed.

**TDC:** We can put back in non-Indigenous or completely non-Native.

**S:** I agree with that.

**TDC:** Where does this connect within the law?

**TDC:** An individual can have one or two great grandparents, and can reside in the territory hypothetically. However, another individual who has seven or eight great grandparents may decide to marry the first person mentioned. Would we then say that the first person is Onkwehón:we or not? It all depends on the context and differing situations.

**S:** There are so many hypothetical situations though.

**S:** If we were making our own law and using our language then we should leave it at the first definition.

**Q:** It is mentioned in the first section under application d, and a Iah teionkwehón:we would be completely non-native right?

**TDC:** If someone only has one great grandparent, they are considered non-native.

**TDC:** If there is a need for a separate definition, we will come back with one. We can define someone that has completely no lineage, and then we can define Iah teionkwehón:we. We just have to see where these two definitions will fit in the Law.

**Q:** Why does it say Kanien'kehá:ka and Onkwehón:we? It is the same thing, you cannot have one without the other.

**Q:** We keep talking about the Residency Law, but when are we going to see it?

**TDC:** Hopefully on Monday. It will be published for the community to review it on [kahnawakemakingdecisions.com](http://kahnawakemakingdecisions.com).

**S:** When you say Onkwehón:we, it means any First Nation. But if you say Kanien'kehá:ka you're just saying you're Mohawk.

**TDC:** There are two different regulations in the Law pertaining to Kanien'kehá:ka and Onkwehón:we. The definition includes Kanien'kehá:ka and Onkwehón:we so that it indicates that a person does meet the criteria of the Kanien'kehá:ka lineage, nor the Onkwehón:we lineage criteria.

**Q:** Did we agree to stop at the second lineage?

**TDC:** Yes and we can then make a definition for Non-Native.

**S:** It should just say no lineage, not "little".

**TDC:** But that is not how it is when referring to the custom code.

**TDC:** Are we leaving out "or Iah teionkwehón:we entirely"? Do we have consensus?

**Q:** Why do we have to say non-Native entirely?

**S:** When referring to Iah teionkwehón:we, we are looking at it in terms of the custom code to determine who qualifies as a Kanien'kehá:ka Great Grandparent. In the Law, when referring to Iah teionkwehón:we, it pertains to both the application for recognition as well as the suspension and revocation of entitlements. Therefore, it has two different meanings.

**TDC:** Is it possible that when referring to revocation and suspension that we do not refer to Iah teionkwehón:we? Instead we can say "non-Native".

**TDC:** It is confusing to put Kanien'kéha terms in the Law, because people have their own interpretation of what it means. We can put this in the parking lot because of this issue.

**TDC:** If we are using this definition in the custom code, then it should only be referenced when talking about the custom code. Simply refer to the custom code as a way to define this term. The definition could be "this word has its meaning as said in the custom code".

**TDC:** The custom code only has the words and chart, it does not have a definition of Iah teionkwehón:we.

**TDC:** So we need a definition as it pertains to the custom code and a definition for non-native.

**S:** Yes.

### **OUTCOME:**

- **PARKING LOT ITEM.**
- **NO CONSENSUS.**

3. **“Kanien’kehá:ka Lineage”**: “means direct descent from Kanien’kehá:ka Great Grandparents to a maximum amount of generations as required pursuant to the regulation concerning the custom code method of calculation of Kanien’kehá:ka Lineage”.

#### **DISCUSSION:**

**TDC:** With the custom code application, it was realized that we cannot limit it to a max of four generations, and instead we are proposing to change it to what is underlined based on the March 22, 2018 focus group proposal.

**Q:** Is there a minimum amount of generations?

**TDC:** No, just a maximum.

**TDC:** Do we have consensus?

**S:** Yes.

#### **OUTCOME:**

- **DECISION:** The newly accepted definition of Kanien’kehá:ka Lineage is: “*means direct descent from Kanien’kehá:ka Great Grandparents to a maximum amount of generations as required pursuant to the regulation concerning the custom code method of calculation of Kanien’kehá:ka Lineage, verified by proof acceptable to the Registrar and, if necessary, by the Administrative Tribunal, the Court of Kahnawà:ke or the Kahnawà:ke Court of Appeal, as the case may be*”.
  - **CONSENSUS REACHED.**
4. **“Onkwehón:we”**: “for the purposes of this Law means a person of an Indigenous Nation of what is currently known as Canada and the continental United States of America, including the Inuit”.

#### **DISCUSSION:**

**S:** In prior hearings we excluded the Métis, and also the country of Mexico, since it is in the same continent.

**S:** This was spoken about but was never passed.

**Q:** So should we say we are excluding the Métis?

**S:** There are indigenous people that are not recognized federally. By saying the United States and Canada, it opens up to anyone.

**TDC:** This is just a definition, they also have to meet the membership criteria. The onus is on the person to provide or prove their lineage. Someone could be federally recognized but not meet our criteria.

**S:** But the Métis are considered to be Onkwehón:we according to this definition.

**TDC:** Their great grandparents would still need to be identified.

**Q:** Does this person need to be recognized by their own band? How are you defining Indigenous Nation?

**S:** I am suggesting that this needs to be clearer then.

**TDC:** This is all up to the registrar in the end. The registrar would not accept documents from a website such as [ancestry.com](http://ancestry.com).

**S:** I say we go with the proposed definition.

**TDC:** At the end of the day, if they don't meet our criteria, they will not be accepted as a member.

**Q:** Why don't we just say “means only a person of an Indigenous Nation”?

**S:** I think you're including more people, such as people from Hawaii.

**TDC:** So are we okay with this?

**Q:** Why do we have to explicitly include the Inuit?

**TDC:** Because they have their own criteria, they are not technically considered First Nations.

S: We put it in there because it is important to include them, especially because if someone is adopted as Inuit and is born and raised here.

S: I also have a niece and nephew who are Inuit but are being raised as Mohawks and speak the language.

TDC: So are we good with the proposed definition? Do we have consensus?

S: Yes.

### **OUTCOME:**

➤ **CONSENSUS REACHED.**

5. **“Onkwehón:we Lineage”:** “means direct descent from at least four (4) great grandparents who were or are recognized as Ahsén:nen Onkwehón:we, at minimum, pursuant to the regulation concerning the custom code method of calculation of Onkwehón:we lineage, verified by proof acceptable to the registrar and, if necessary, by the Administrative Tribunal, the Court of Kahnawà:ke or the Kahnawà:ke Court of Appeal, as the case may be”.

### **DISCUSSION:**

TDC: The new proposal is everything underlined in the definition based on the March 22, 2018 focus group session.

Q: Why does it say “at least”?

TDC: To encompass everyone, many people will have more than four great grandparents.

TDC: Do we have consensus?

S: Yes.

### **OUTCOME:**

➤ **CONSENSUS REACHED.**

6. **“Regulation”:** “means any regulation enacted pursuant to this Law, by the Mohawk Council of Kahnawà:ke”.

### **DISCUSSION:**

TDC: The only change was that it was put in singular form to say “Regulation”.

S: You are using the word regulation to define itself, and it does not say what a regulation is.

TDC: Could we use procedure or process?

TDC: No, a regulation is a regulation.

TDC: The actual definition of a regulation on the internet still references a regulation.

*\*According to legal, the definition is fine as is.*

Q: What about “Rules made to facilitate the application of this law”?

TDC: I suppose you can say rules, but when you define a regulation you will not be referencing rules.

TDC: So do we have consensus to leave it as is?

S: Yes.

### **OUTCOME:**

➤ **CONSENSUS REACHED.**

7. **“Reside”:** “means one of the places where one ordinarily lives or has their home”.

### **DISCUSSION:**

TDC: This is a new definition that was put into the Law.

Q: Where is it in the Law?

\*Referenced the sections in the Law.

**Q:** What does it mean when it says “one of the places”?

**TDC:** Because you can have more than one place of residence.

**Q:** Should it coincide with what the MCK Election Law says?

**TDC:** So should we add “for the purposes of this law?”

**TDC:** In the definition section of the Laws, it always says for the “purposes of this Law”.

**TDC:** Do we have consensus?

**S:** Yes.

### **OUTCOME:**

- **CONSENSUS REACHED.**

### **Registrar**

- 1. Section 5.1:** “The Registrar's appointment will be effective until it is revoked, with just cause, by the Mohawk Council of Kahnawà:ke”.

### **DISCUSSION:**

**TDC:** The addition is the underlined “with just cause”.

**Q:** Who is the Mohawk Council of Kahnawà:ke?

**TDC:** It is done through Mohawk Council Executive Directive (MCED).

**S:** Maybe it should say Chief and Council.

**TDC:** The Registrar is appointed through an MCED.

**TDC:** We can put a qualifier and add “through MCED” at the end of the sentence.

### **OUTCOME:**

- **DECISION:** The accepted definition is “*The Registrar’s appointment will be effective until it is revoked, with just cause, by the Mohawk Council of Kahnawà:ke through Mohawk Council Executive Directive*”.

- **CONSENSUS REACHED.**

- 2. Section 5.2:** “The Registrar will maintain and administer the Kahnawà:ke Kanien'kehá:ka Registry and perform any duties related thereto”

### **OUTCOME:**

- **CONSENSUS REACHED.**

- 3. Section 5.3:** “The Registrar will: a) verify, \_\_\_ and decide on applications for recognition as Kanien'kehá:ka of Kahnawà:ke; b) \_\_\_ decide applications to suspend or revoke a person's recognition”.

### **DISCUSSION:**

**TDC:** The term “review” was deleted in both a) and b) where both of the blanks (\_\_\_) are.

### **OUTCOME:**

- **CONSENSUS REACHED.**

- 4. Section 5.4:** “The Registrar will at all times: **a)** respect the principles of fairness, dignity of the person and compassion that are consistent with the traditions and customs of the Kanien'kehá:ka of Kahnawà:ke, and **d)** use reasonable efforts to ensure the information contained in the Kahnawà:ke Kanien'kehá:ka Registry is updated and accurate”.

### DISCUSSION:

**TDC:** 5.4 a) was added in because it was transferred over from the previous Law from the Council of Elders section on responsibilities, which was removed. In 5.4 d) “use reasonable efforts” was also added in.

**Q:** Why was this added?

**TDC:** It was a liability concern, because nothing is perfect.

**TDC:** Are we good with this definition? Do we have consensus?

**S:** Yes.

### OUTCOME:

➤ **CONSENSUS REACHED.**

- 5. Section 5.5:** “Notwithstanding s. 5.4, the Registrar will make available for all Kanien'kehá:ka of Kahnawà:ke during normal business hours, the names of those who have been recognized, suspended or revoked from the Kahnawà:ke Kanien'kehá:ka Registry and, including the names of the persons added or removed from the Kahnawà:ke Kanien'kehá:ka Registry”.

### DISCUSSION:

**TDC:** “Notwithstanding section 5.4” was added.

**Q:** Doesn't suspended or revoked mean the same thing?

**TDC:** You can remove yourself; “renounce” your rights.

### OUTCOME:

➤ **CONSENSUS REACHED.**

#### **Kahnawà:ke Kanien'kehá:ka Registry**

- 1. Section 6.1:** “The Registrar will add to the Kahnawà:ke Kanien'kehá:ka Registry the name of any person whose application has been verified, and whose status has been recognized under this Law”.

### DISCUSSION:

**TDC:** After the word “verified”, the word “reviewed” was removed.

### OUTCOME:

➤ **CONSENSUS REACHED.**

- 2. Section 6.2:** “The Registrar will remove from the Kahnawà:ke Kanien'kehá:ka Registry the name of any person whose entitlements as a Kanien'kehá:ka of Kahnawà:ke has been revoked and will make a notation in the Registry of any person whose entitlements have been suspended”.

### DISCUSSION:

**TDC:** The previous word instead of “entitlements” was “benefits”; so it is just a name change.

**Q:** Does the word revoked belong here? Since revocation and suspension are mentioned.

**TDC:** Yes we have to use both terms.

### OUTCOME:

➤ **CONSENSUS REACHED.**

#### **Review of Registrar's Decision**

- 1. Section 7.1:** “A decision by the Registrar may be reviewed by the Administrative Tribunal in accordance with the *Kahnawà:ke Justice Act* and applicable regulations. Application to review a decision of the Registrar must be filed with the Administrative Tribunal within thirty (30) days of the decision”.



### DISCUSSION:

**TDC:** The underlined sentence is a new addition, we thought it was important to put a timeframe for appealing to the Administrative Tribunal.

**Q:** Is there a timeframe for the Tribunal to make a decision?

**TDC:** It is coming up next.

### OUTCOME:

➤ **CONSENSUS REACHED.**

2. **Section 7.2:** “The Administrative Tribunal shall review and determine whether due process was followed, whether rules of natural justice were adhered to, ensure absence of bias, ensure the decision was reasonable, determine whether there was an absence of jurisdiction, or, whether there was a mistake of law”.

### DISCUSSION:

**TDC:** We added the word “rules”, the terminology is “rules of natural justice”.

**TDC:** We should also add: “ensure the absence of bias”.

### OUTCOME:

➤ **CONSENSUS REACHED.**

3. **Section 7.3:** “The Administrative Tribunal may quash, confirm or vary the contested decision and, if appropriate, make the decision which, in its opinion, should have been made initially”.

### DISCUSSION:

**TDC:** The additional word here is “quash”. Quash means to cancel the decision, which is the word that is generally used in legal terms.

*\*Readdressed the question about the timeframe for the Administrative Tribunal to make their decision.*

**TDC:** The timeframe for the Administration Tribunal to render a decision will be in accordance with what is stated in Kahnawà:ke Justice Act.

**Q:** So will it have a standard timeframe?

**TDC:** Yes.

### OUTCOME:

➤ **CONSENSUS REACHED.**

4. **Section 7.4:** “A decision by the Administrative Tribunal may be appealed to the Court of Kahnawà:ke in accordance with the *Kahnawà:ke Justice Act* and applicable regulations. Application to appeal a decision of the Administrative Tribunal must be filed with the Court of Kahnawà:ke within thirty (30) days of the decision”.

### DISCUSSION:

**TDC:** The additional sentence is what is underlined. There are levels of appeal and checks and balances in this law. The decisions of the Administrative Tribunal can also be appealed to the Court of Kahnawà:ke.

**S:** I wanted to make sure that the court and tribunals will all be active when this Law gets enacted. You're setting yourself up for failure if these bodies are not established.

**TDC:** It is in the process of being established, but we have to move ahead.

### OUTCOME:

➤ **CONSENSUS REACHED.**

- 5. Section 7.5:** “Final judgments or orders by the Court of Kahnawà:ke regarding recognition, suspension and revocation can be automatically appealed to the Kahnawà:ke Court of Appeal. Application to appeal a decision of the Court of Kahnawà:ke must be filed with the Kahnawà:ke Court of Appeal within thirty (30) days of the decision”.

**OUTCOME:**

- **CONSENSUS REACHED.**

**Community Review Board**

- 1. Section 8.1:** “There is hereby established an interim body to be known as the Community Review Board empowered by the Mohawk Council of Kahnawà:ke, through the enactment of this Law”.

**DISCUSSION:**

**S:** It should not just represent the Mohawk Council of Kahnawà:ke, it should include the traditional people.

**Q:** Well where are they?

**S:** I am here.

**TDC:** I believe that it is important that the traditional bodies should be discussing citizenship, which is more important. MCK is more responsible for Membership.

**Q:** It is important for people to come together; you have to get them involved. How are we going to come together as a people?

**S:** We should remove change it to: “empowered through the enactment of this Law”. This eliminates the MCK from the sentence and removes the potential foreseen divide.

**S:** But later on in the Law, it says that the members of the review board will be remunerated through the MCK. So is it contradictory to remove MCK when that is who is paying the review board?

**OUTCOME:**

- **DECISION:** Change to *“There is hereby established an interim body to be known as the Community Review Board empowered through the enactment of this Law”.*
- **CONSENSUS REACHED.**

- 2. Section 8.2:** “Decisions by the Registrar may be reviewed by the Community Review Board on an interim basis in accordance with this Law and the *Regulation Respecting the Community Review Board*, until such time as Administrative Tribunal is operational pursuant to the *Kahnawà:ke Justice Act*. Application to review a decision of the Registrar must be filed with the Community Review Board within thirty (30) days of the decision”.

**DISCUSSION:**

**TDC:** “May be reviewed” was added because the registrar is the one making decisions, but the Community Review Board is the one reviewing the decisions. This board is meant to be interim because the Justice Act needs to be fully implemented. Another addition was “application to review a decision”.

**Q:** Is this interim review board going to act as the Administrative Tribunal?

**TDC:** Yes.

**Q:** Then shouldn't it have all of the same duties as the Administrative Tribunal?

**S:** It is outlined in section 9.5.

**OUTCOME:**

- **DECISION:** Add in “...until such time as the Administrative Tribunal is operational...”.
- **CONSENSUS REACHED.**

- 3. Section 9.3:** “The Community Review Board will consist of five (5) members, selected in accordance with the procedures set out in the *Regulation Respecting the Community Review Board*”.

## **DISCUSSION:**

**TDC:** Added in the five members.

**Q:** Are the procedures set out in the Regulation respecting the Community Review Board?

**TDC:** We have the community representatives to ensure that everything that is said is done.

**TDC:** There is a regulation procedure that is in the works and will be completed soon.

**Q:** Should we discuss the appointments and elections of this board?

**TDC:** It will be in the regulations.

**Q:** What do the regulations say? What was the previously agreed upon make up of this board?

**TDC:** Its composition is identified in the Justice Act.

**S:** Because there was previous consensus, it should be reflected in the law.

**TDC:** We wrote the five members because consensus was reached on having five members.

**Q:** So should the composition of the board be in the law? Or wait until regulations?

**S:** All other commissions and boards have their compositions written out in the law.

**TDC:** It is better to put it in regulations so that it is simpler to change.

## **OUTCOME:**

➤ **CONSENSUS REACHED.**

- 4. Section 9.5:** “The Community Review Board may quash, confirm or vary the contested decision and, if appropriate, make the decision which, in its opinion, should have been made initially”.

## **DISCUSSION:**

**TDC:** They will have the same authority of the Administrative Tribunal.

## **OUTCOME:**

➤ **CONSENSUS REACHED.**

- 5. Section 9.6:** “A decision by the Community Review Board may, be appealed to the Court of Kahnawà:ke once the Court becomes operational under the Kahnawà:ke Justice Act. Application to appeal a decision of the Community Review Board must be filed with the Court of Kahnawà:ke within thirty (30) days of the decision.”.

## **DISCUSSION:**

**TDC:** They also have the same authority that the Administrative Tribunal has, and the same process to appeal.

**Q:** So if a person wants to appeal, they have to wait for the Court of Kahnawà:ke and Court of appeal to be in place?

**S:** Yes.

**Q:** Isn't it problematic that the Court of Kahnawà:ke is not established?

**TDC:** The Justice Act is there, it is a Law, and it will be implemented soon.

**S:** The problem is that we don't have a reciprocal agreement with Quebec and Canada.

**Q:** Isn't there a law that allows us to have our own membership in Canada?

**TDC:** That is for Residency.

**Q:** So if there is no appeal body, where does it go?

**TDC:** It would go to the Quebec Superior Court.

**TDC:** Would we be able to ask Akwesasne to hear an appeal?

**Q:** I think this section needs a little bit more attention, we need to have these bodies in place before we pass these decisions. Realistically, how long is it going to take for the Justice Act to be implemented?

**TDC:** We are hopeful that once this law is done, it will instigate the implementation of the Justice Act.

## OUTCOME:

- **CONSENSUS REACHED.**

## **FINAL OUTCOME:**

- Consensus was reached on five out of seven definitions, which are “**Onkwehón:we**”, “**Onkwehón:we Lineage**”, “**Regulation**”, “**Reside**” and “**Kanien’kehá:ka Lineage**”. The newly accepted definition of Kanien’kehá:ka Lineage is: “*means direct descent from Kanien’kehá:ka Great Grandparents to a maximum amount of generations as required pursuant to the regulation concerning the custom code method of calculation of Kanien’kehá:ka Lineage, verified by proof acceptable to the Registrar and, if necessary, by the Administrative Tribunal, the Court of Kahnawà:ke or the Kahnawà:ke Court of Appeal, as the case may be*”.
- Two definitions did not get consensus, and will be revisited and re-drafted. These definitions were “**Common-Law Relationship**” and “**Iah teionkwehón:we**”.
- Consensus was reached on all sections pertaining to the “**Registrar**”, “**Kahnawà:ke Kanien’kehá:ka Registry**”, and “**Review of Registrar’s Decision**” with few minor additions to be made in some sections.
- Consensus was reached on sections 8.1, 8.2, 9.3, 9.5 and 9.6 on the “**Community Review Board**”.

## **FINAL CONCLUSION:**

- The parking lot items will be the first order of business for the next Hearing, which will be held on April 24, 2018.
- The discussion at the next Hearing will then resume on the remaining sections of the Community Review Board.

## **Approved by:**

\_\_\_\_\_  
Alexis Shackleton

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Kahsennenhawe Sky-Deer

\_\_\_\_\_  
Date