

City hall continues talks with Six Nations

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There's a sense of relief at city hall and Six Nations as continuing talks over the land claims dispute keeps proceedings for a permanent injunction from returning to court.

Lawyers for the city, the Six Nations Haudenosaunee Confederacy and activists named in a temporary injunction were tentatively scheduled to return to Superior Court today regarding a permanent injunction and other legal matters, but the date has been put off while negotiations mandated by Justice Harrison Arrell continue.

"We very much want a settlement," Mayor Mike Hancock said Monday.

But he added that he cannot comment on details of the legal or mediated proceedings.

The city's bid to gain a full injunction against protests by native activists aimed at stalling development projects has been out of court since March 20, when Arrell ordered the city, the province and a native group to work out their differences.

"The court is prepared to make a decision," Arrell said at the time, "but without a doubt a negotiated resolution is better for the process as a whole."

Arrell's order required natives to stop blocking workers and equipment from construction sites for the period of the talks, and the city not to enforce anti-protesting bylaws.

Since then, attempts to negotiate have been strained by some of the legal proceedings the city is seeking, and a lawsuit launched by Six Nations, but all sides continue to signal at least their willingness to talk.

Meanwhile, a truce has prevailed at construction sites, where Haudenosaunee activists have refrained from protest activities for the past five months since a group succeeded in halting work temporarily at an Empire Communities development in the Shellard Lane subdivisions.

After earlier repeated stoppages by activists, work is nearing completion on the Hampton Inn and Suites at Fen Ridge Court and Oak Park Road, and an opening is expected the next month.

The only incident of disruption has been a repeated blockade by a group from the Mohawk Nation at the Kanata Iroquois Village.

That action is keeping De dwa da dehs neye's Aboriginal Health Centre from being established on a lease at the site of the former Kanata Iroquois Village.

The centre has been forced to find a temporary home in King and Benton's business centre at 44 Elgin St.

Still, the relative absence of protests has helped, said Hancock.

"We're very, very pleased to see that there have been no protests but it will take longer for business confidence to resume," he said.

"Business demands absolute certainty and there is still a reputation out there that we are a place of protest."

Meanwhile, there is also some indication of a change in perspective in the Six Nations community about the dispute and the effect that three years of protests since the occupation of the former Douglas Creek Estates housing project in Caledonia has had on relations.

"We've all noticed of late the absence of protests on development sites," elected Coun. Helen Miller said in a statement published on today's Comment page.

"I believe the protests have stopped for two reasons: the people don't want to be arrested and they know they don't have the support of the Six Nations community any more.

"Truth is, today the majority of Six Nations people whom I've spoken with are fed up with the protests, fed up with these groups of people and individuals claiming to speak for them and fed up with the smoke shops on Highway 6."

Miller also was critical of groups and individuals who purport to speak for Six Nations while they carry out their activities.

"As for who represents Six Nations," she said, "let me put it this way: the Mohawk Workers, Women of the Mohawk Nation, the Men's Fire, or individuals, like Steve "Boots" Powless or Floyd and Ruby Montour, were not elected, appointed or authorized by the people of Six Nations to be their representatives or to speak on their behalf."

Miller lauded the elected council's simultaneous moves to return to negotiation with a document detailing its understanding of consultation and accommodation, and to reinstate the 1995 court case for an accounting of the Six Nations trust fund and lands.

"After three years of little to no progress at the lands table and confusion and frustration from development," she said, "there is no legitimate reason why Six Nations cannot litigate and negotiate at the same time."

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