

POLITICAL PROTOCOL AGREEMENT

BETWEEN

QUÉBEC

AND

THE MOHAWKS OF AKWESASNE

## **PREAMBLE**

**WHEREAS** the Mohawks of Akwesasne are part of the Mohawk Nation recognized by the National Assembly of Québec;

**WHEREAS** the Mohawks of Akwesasne govern themselves and exercise their powers through the Mohawk Council of Akwesasne;

**WHEREAS** the Québec government and the Mohawks of Akwesasne want to establish a long-term and constructive relationship based on respect and mutual trust through a new Political Protocol Agreement;

**WHEREAS** the Québec government and the Mohawk of Akwesasne recognize the significance of language, culture, and heritage as important components in defining their distinctiveness;

**WHEREAS** the territory of Akwesasne is multi-jurisdictional and collaborative solutions are required to address the unique issues created by this geographical situation, particularly in matters of access to services by the population of Akwesasne;

**WHEREAS** the respective principles and concepts found in the Kaswentha (Two Row Wampum) for Akwesasne and the fifteen principles adopted by the Conseil des ministres on February 9, 1983 for Québec are intended to provide a guide for relations between Akwesasne and the Québec government;

## **NOW THEREFORE IT IS AGREED THAT:**

### **1. Subject**

1.1. The purpose of this Agreement is to establish a framework that promotes the maintenance of existing relationships and development of these relationships on various sectors of common interest in a spirit of understanding and mutual respect.

### **2. Orientations and principles**

2.1 The parties intend to maintain and develop their relationships with due regard to their distinctiveness and by reconciling the exercise of their respective powers, particularly by negotiating specific agreements on various subject matters of shared interest or by implementing other measures.

2.2 The parties are seeking to create a shared work dynamic that promotes achieving the agreed objectives. To that end, they will develop and monitor a structured work plan.

### **3. Statement of common interests**

3.1 The parties have identified the following subjects of common interest on which they will work for the duration of this Political Protocol Agreement:

- i. Transport;
- ii. Administration of justice;
- iii. Health and social services;
- iv. Public security;
- v. Economic development and infrastructure;
- vi. Québec liaison officer.

3.2 The parties shall focus their work so as to meet the following objectives.

a) Transport:

- i) Identify solutions to improve transportation infrastructures;
- ii) Work with their partners in the Governments of Canada and Ontario to find to find real solutions to transportation issues in relation to Akwesasne's specific geographical environment

b) Administration of justice:

- i) Work to identify the issues related to the diversion of certain criminal files and agree on possible solutions relating to the availability of certain justice services;
- ii) Facilitate some services related to acts of civil status such as celebrations of marriages or acts of births;
- iii) Set up a regional working table to provide better communication between the parties on issues relating to the administration of justice.

c) Health and social services

- i) Facilitate and strengthen the partnership between the Mohawks of Akwesasne community and the Montérégie health and social services network;
- ii) Support the development of mechanisms to foster the collaboration and continuity of services between the Québec health and social services network and the health services and social services of the Mohawks of Akwesasne community;
- iii) The Québec government, in accordance with its responsibilities, will work toward the harmonization of measures related to the health and social services, intended for members of the Mohawks of Akwesasne community through sustained collaboration with its partners, i.e. the Governments of Canada and Ontario.

d) Public security

- i) Promote the development of police expertise within the Mohawk of Akwesasne community;
- ii) Work with the Government of Canada to improve police services in Akwesasne;
- iii) The Québec government will support the Mohawks of Akwesasne with technical expertise to improve the knowledge pertaining to the issue of shore erosion.

e) Economic development and infrastructures

- i) Promote the implementation of economic development projects in the telecommunications, energy and tourism sectors that have a structuring effect for the Mohawks of Akwesasne and for Québec;
- ii) Work alongside the Governments of Canada and Ontario to implement an infrastructure improvement program.

f) Québec liaison officer

i) Working together to define the role of the Québec liaison officer and to find a solution to the issue of financing this position.

#### **4. Work plan**

4.1 The parties shall develop a work plan to achieve the objectives regarding the stated common interests. In particular, this work plan shall include a schedule.

#### **5. Implementing and monitoring work**

5.1 Responsibility for the implementation of the Political Protocol Agreement shall reside, for the Mohawks of Akwesasne, with the Grand Chief of the Mohawk Council of Akwesasne and, for the Québec government, with the Minister responsible for Native Affairs.

5.2 A coordinating committee made up of one representative from each party shall be created to oversee the general application of this Political Protocol Agreement and the maintenance of the spirit of understanding and mutual respect that is the foundation of the Québec-Akwesasne relationship. This committee shall meet quarterly and shall be responsible for developing the work plan set out in section 4.1 as well as for monitoring work.

5.3 The coordination committee shall submit a work status report once per year to the authorities responsible for the implementation of this Political Protocol Agreement. If mutually agreed, the Grand Chief and the Minister shall meet to discuss this report.

5.4 If mutually agreed, the parties may invite other parties to participate in the work set out in this Political Protocol Agreement.

#### **6. Conflict resolution**

6.1 The coordination committee set out in section 5.2 shall be responsible for all aspects of resolving any conflict that may arise in applying this Political Protocol Agreement.

6.2 If, after all resolution efforts made by the coordination committee, a significant conflict persists, it shall be referred to a joint meeting of the Grand Chief and the Minister responsible for Native Affairs.

#### **7. Amendment**

7.1 This Political Protocol Agreement may be modified, in whole or in part, upon mutual acceptance in writing, signed by the parties.

#### **8. Final Provisions**

8.1 This Political Protocol Agreement shall take effect when the last signature is added and will last for 10 years unless one of the parties decides to end the Political Protocol Agreement before the 10 years have passed and notifies the other party in writing of the intention to end the Political Protocol Agreement. This notice will take effect at the end of a thirty (30) day period from the date it is received by the other party.

8.2 This Political Protocol Agreement is not intended to be an agreement or a treaty as contemplated in section 35 of the *Constitutional Act, 1982*, nor is it to be interpreted in any way as abrogating, derogating, negating or recognizing any aboriginal, treaty or other rights.

8.3 This Political Protocol Agreement replaces the *Protocol Agreement between Québec and Akwesasne* signed by the parties on June 20, 2000.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED THE 15<sup>th</sup> DAY OF DECEMBER 2014

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Michael K. Mitchell  
Grand Chief

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Geoffrey Kelley  
Ministre responsable des  
Affaires autochtones

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Jean-Marc Fournier  
Ministre responsable des  
Affaires intergouvernementales  
canadiennes et de la  
Francophonie canadienne