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EXECUTIVE SUMMARY

In recent years, only a small number of Canadian Aboriginal communities have experienced tensions and conflicts which have escalated to civil disobedience and unrest in the form of protest actions. (A)

In addition to the ongoing tensions and conflicts in the Aboriginal communities summarized in this report, 2009/10 will present unique opportunities for civil disobedience and potential for violence as several major events take place in Canada. These events will be leveraged by Aboriginal communities and groups who support Aboriginal issues to draw attention to outstanding issues and grievances. (A)

These events include:

- Assembly of First Nations (AFN) – National Day of Reconciliation, 2009-06-11
- 2010 Olympic Torch Relay, 2009-10-30 to 2010-02-12
- 2010 Olympics, 2010-02-12 to 2010-02-28
- 2010 Paralympic Winter Games Torch Relay, 2010-02-28 to 2010-03-12
- 2010 Paralympic Winter Games, 2010-03-12 to 2010-03-21
- 2010 G8 Summit, 2010-06-25 to 2010-06-27
- North American Leaders' Summit, TBA 2010 (U)



First Nation representatives including AFN have publicly stated that protests from the Aboriginal community are expected to cause disruption and would increase as the Olympic Games approach. (U)

The new opportunities presented by the upcoming events, combined with ongoing unresolved issues in many Aboriginal communities, and the pattern of convergence among activist groups, all contribute to increased uncertainty and concern regarding Aboriginal protest activity in 2009/10. These variables contribute to the increased potential for large numbers of protestors attending these major events, and the potential for violence and criminal acts occurring with the purpose of ensuring national and international attention to Aboriginal issues. (A)

This report summarizes 18 Aboriginal communities with existing issues and conflicts which could escalate to various forms of direct action. (A)

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ACKNOWLEDGEMENTS



The RCMP Criminal Intelligence Aboriginal Joint Intelligence Group (JIG) would like to acknowledge the contributions made to this report by RCMP Divisional Intelligence Officers and Analysts, and Aboriginal Policing Services, partners in the Canada's Security and Intelligence community, RCMP NHQ partners including National Security Criminal Investigations

This report is a true collaboration of many contributors and is a "living document" made possible through both the recent contributions solicited by the Aboriginal JIG in support of this report, and also the ongoing intelligence contributions received by the Aboriginal JIG in support of the weekly Aboriginal and Community Public Safety Situation Report (PROS 2009-21999).

GLOSSARY OF TERMS

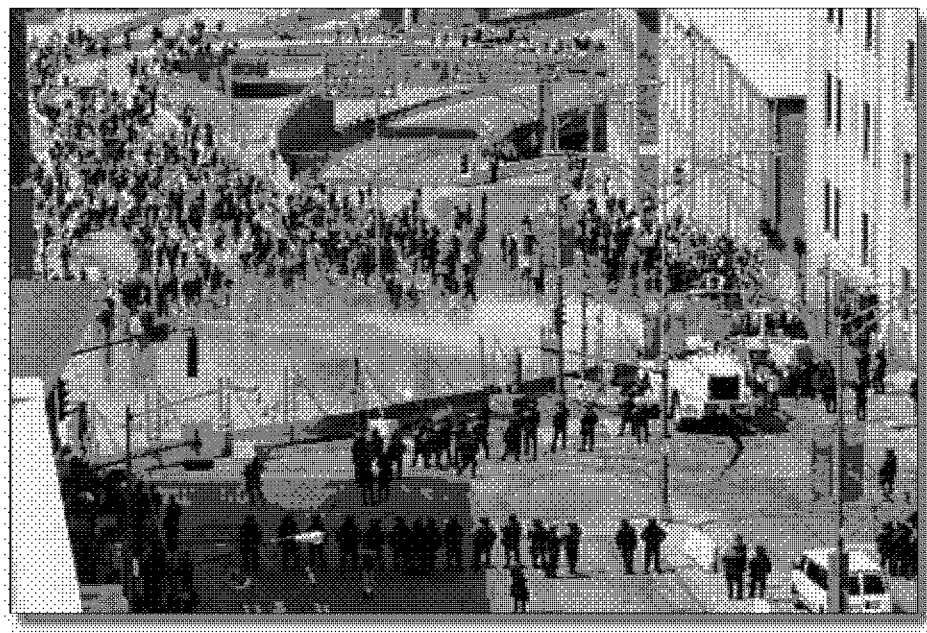
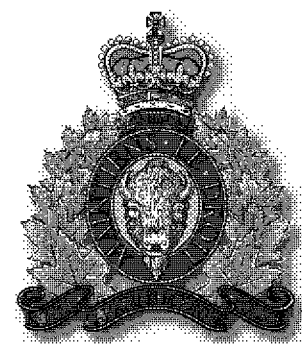
Categories of Activists and Activist Groups

- **"Traditionalists"** refers to individuals or groups who believe in traditional forms of governance which is typically the political structure in place previous to the Indian Act. These individuals or groups mainly oppose the elected Indian Act band councils and the current governance system. (U)
- **"Moderates"** refers to individuals or groups who participate in legal demonstrations and protests, but do not resort to illegal activities or violence. They typically avoid road blockades, use of weapons, etc. (U)
- **"Militants"** refers to individuals or groups who participate in or promote the use of confrontational tactics to further their cause. These individuals or groups will participate in illegal activities such as road blocks, trains stoppages and violence but typically stop short of using weapons or destroying property. (U)
- **"Extremists"** refers to individuals or groups that advocate or engage in violence involving weapons or explosives for the purpose of furthering their cause. Typically this involves the use of firearms, and the destruction of property including critical infrastructure. (U)

The definitions are based on the types of direct action typically encouraged, organized or participated in. (U)

Critical Infrastructure

"Critical infrastructure" refers to infrastructure, both tangible and intangible, that is essential to the health, safety, security or economic well-being of Canadians and the effective functioning of government. (U)



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ACRONYMS

Aboriginal Joint Intelligence Group (Aboriginal JIG)	International Olympic Committee (IOC)
Akwesasne Mohawk Police Service (AMPS)	Kingston Coalition Against Poverty (KCAP)
Algonquin Alliance (AA)	Kitchenuhmaykoosib Inninuwug (KI)
American Indian Movement (AIM)	Mohawk Warrior Society (MWS)
Anti-War at Laurier (AW@L)	Mohawks of the Bay of Quinte (MBQ)
Assembly of First Nations (AFN)	National Day of Action (NDA)
Athabasca Chipewyan First Nation (ACFN)	Native Women's Association Canada (NWAC)
Atomic Energy of Canada Ltd. (AECL)	Native Youth Movement (NYM)
Auditor General of Canada (AGC)	North Central Corridor (NCC)
Block the Empire-Montreal (BLEM)	Northern Flood Agreement (NFA)
Canadian National (CN)	Ontario Coalition Against Poverty (OCAP)
Canadian Pacific (CP)	Olympic Resistance Network (ORN)
Canadian Pacific Railway Police Service (CPRPS)	Rail Traffic Controllers (RTCs)
Critical infrastructure (CI)	Rainforest Action Network (RAN)
Douglas Creek Estates (DCE)	Royal Canadian Mounted Police (RCMP)
Generating station (GS)	Six Nations of the Grand River (SNGR)
Government of Canada's (GoC)	Supervisory Control and Data Acquisition Systems (SCADA)
Greater Toronto Area (GTA)	Supreme Court of Canada (SCC)
Haldimand Against Landfill Transfers (HALT)	Transformer station (TS)
Haudenosaunee Development Institute (HDI)	Truth and Reconciliation Commission (TRC)
Haudenosaunee Men's Fire (HMF)	Tyendinaga Mohawk Territory (TMT)
Indian and Northern Affairs Canada (INAC)	Vancouver Olympic Committee (VANOC)
Indigenous Environmental Network (IEN)	Woodland Cree First Nation (WCFN)
Indigenous Peoples Solidarity Movement (IPSM)	
Integrated Threat Assessment Centre (ITAC)	

INTRODUCTION

The Aboriginal JIG was created in January 2007 as part of the RCMP's ongoing commitment to support Aboriginal communities. This intelligence group comprises members of RCMP Criminal Intelligence and RCMP National Security Criminal Investigations. The Aboriginal JIG's primary mandate is to collect and analyse information, and produce and disseminate intelligence concerning conflict and issues associated with Aboriginal communities. (A)



This report will identify current trends, groups and individuals of concern, and geographic areas where conflict and issues are anticipated throughout 2009/10, and will assist with priority-setting and decision-making for provincial and national events. (A)

The content of this report is based on contributions from several partners, data contained within law enforcement data banks, and from open source research. Partners who contributed to this report include:

- RCMP "J", "L", "B", "C", "A", "O", "D", "F", "K", and "E" Divisions;
- Vancouver 2010 Integrated Security Unit (ISU) Joint Intelligence Group (JIG);
- RCMP National Security Criminal Investigations and Critical Infrastructure Criminal Intelligence (CICI);
- Sûreté du Québec and Ontario Provincial Police (OPP);
- Integrated Threat Assessment Centre (ITAC); and

The scope of this report does not assess acts of lawful protest or legitimate dissent and it does not assess conflicts in Aboriginal communities related to organized crime, gangs or profit motivated criminal acts. (A)

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It is important to recognize past protest actions that have occurred, as well as take note of those that are planned for the future. No matter how peaceful a protest is intended to be, past situations demonstrate that when emotions run high, violence can and has occurred during some Aboriginal protests, and individuals both Aboriginal and non-Aboriginal have been injured and died. The hazards to law enforcement are readily apparent. However, it must be stated that overall, occupations and protest in Canada associated to Aboriginal communities have experienced low levels of violence. (A)

The current situations in 18 Aboriginal communities with existing tensions and conflicts that have resulted in protest action are summarized in this report. The Aboriginal communities were selected based on criteria determined to impact public safety. These criteria include:

- History of violence;
- History of tension or conflict towards police involvement;
- Militants operating within the community;
- Threats against critical infrastructure; and
- External influences (i.e. activist groups, government policies, major events) (A)

There are several events taking place in Canada in the coming year, most international in scope, which will present the opportunity for Aboriginal communities and activist groups who support Aboriginal issues to draw attention to outstanding issues and grievances. These events include:

- Assembly of First Nations (AFN) — National Day of Reconciliation, 2009-06-11
- 2010 Olympic Torch Relay, 2009-10-30 to 2010-02-12
- 2010 Olympics, 2010-02-12 to 2010-02-28
- 2010 Paralympic Winter Games Torch Relay, 2010-02-28 to 2010-03-12
- 2010 Paralympic Winter Games, 2010-03-12 to 2010-03-21
- 2010 G8 Summit, 2010-06-25 to 2010-06-27
- North American Leaders' Summit, TBA 2010 (U)

This report is based on available information as of 2009-05-19. (U)

NATIONAL OUTLOOK

In recent years, only a small number of Canadian Aboriginal communities have experienced tensions and conflicts which have escalated to civil disobedience and unrest in the form of protest actions. Typically these protest actions are undertaken by small factions within a community, representing their own interests. (A)

In addition to the ongoing tensions and conflicts in the Aboriginal communities summarized in this report, 2009/10 will present unique opportunities for civil disobedience and the potential for violence as several major events take place in Canada. These events will be leveraged by Aboriginal communities and groups who support Aboriginal issues to draw attention to outstanding issues and grievances. (A)

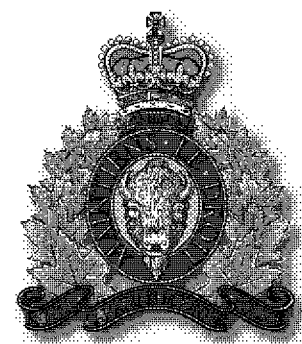
The majority of Aboriginal direct action typically does not involve violence, and can be considered moderate to militant in behavior. However, most direct action requires police response either in the form of police mediation, monitoring or intervention. The types of direct action reported within the last year include legal and illegal protests, demonstrations, road blocks or preventing access to construction sites. A small number of criminal acts committed include the blocking of major critical infrastructure such as railways¹ and major highways.² (A)

Within the last 12 months, no violent acts associated to Aboriginal extremism were reported. However, illegal acts were committed within Aboriginal communities or by Aboriginal activists, and they include: breaking and entering of band offices, extortion of construction companies, illegal blockades on highways and disobeying court orders. (A)

The current situations in 18 Aboriginal communities with existing tensions and conflicts that have resulted in protest action are summarized in this report. These communities were selected based on the aforementioned criteria. The Aboriginal communities featured include (Annex A):

Quebec

- Barriere Lake
- Kahnawake
- Kanesatake
- Listuguj



1 CP "Spirit Train" in October 2008 near Vaughn, ON.

2 Barriere Lake blockades of Hwy 117 in Quebec.

Protected "A"**Ontario**

- Akwesasne
- Grassy Narrows First Nation
- Kitchenuhmaykoosib Inninuwug (KI) First Nation
- Munsee-Delaware Nation
- Shabot Obaadjiwan and Ardock Algonquin First Nations
- Six Nations of the Grand River
- Tyendinaga

Manitoba

- Peguis First Nation
- Pimicikamak First Nation
- Roseau River First Nation

Saskatchewan

- Red Pheasant First Nation

Alberta

- Community of Fort Chipewyan
- Lubicon Lake Indian Nation
- Woodland Cree First Nation (A)

Major Events and Opportunity

The major events that will take place in Canada in 2009/10 provide an opportunity for Aboriginal communities, Aboriginal activist groups, and non-Aboriginal activist groups that support Aboriginal causes to garner national and international attention to their causes through protest activities. (A)

Many pre-Olympic celebrations have attracted hundreds of protesters involved in the anti-Olympic movement. Generally, the protests have been peaceful and non-disruptive; however, some incidents of vandalism and confrontation with police suggest that some activists are prepared to engage in more violent and radical behavior. During the public demonstrations, protesters united under the "No Olympics on Stolen Land" banner, showing the importance of Aboriginal issues in the anti-Olympic movement. (U)

Major events with ties to Aboriginal issues and communities that took place within the last 12 months include the second National Day of Action (NDA) and the Canadian Pacific (CP) Spirit Train. (U)

On 2008-05-29, 49 events took place across the country by Aboriginal and non-Aboriginal supporters of the AFN's second NDA. Events ranged from gatherings and marches to the slowing of traffic in order to distribute educational pamphlets to passing motorists. Few of the events required police intervention. (U)

To promote the Winter Olympics coming to Vancouver in 2010, CP initiated the Spirit Train which traveled across Canada between 2008-09-21 and 2008-10-10. The CP Spirit Train tour was the target of anti-Olympic

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protesters at eight of the ten cities where events were held. The majority of protests were peaceful and caused limited disruption, however, in Port Moody, BC and Vaughan, ON, the protesters were able to delay the train and confront police. (U)

The protest action that took place in 2008/09 associated to major events provides an indication as to what can be expected to occur at upcoming major events in 2009/10. (A)

The events associated to the AFN's second NDA were mostly peaceful and required little police intervention. Future AFN events including the 2009-06-11 National Day of Reconciliation are anticipated to be mostly peaceful with the requirement for police intervention if individuals choose to distract from the focus of the day by participating or encouraging illegal activities to further their own agendas. As the CP Spirit Train was subject to anti-Olympic protestors, it is anticipated that additional pre-Olympic events will be subject to extensive protest activity across the country. (A)

2009/10 Major Events

2009-06-11

- AFN's National Day of Reconciliation

2009-10-30 to 2010-02-12

- 2010 Olympic Torch Relay (Canada-wide)

2010-02-12 to 2010-02-28

- 2010 Olympics (Vancouver and Whistler, BC)

2010-02-28 to 2010-03-12

- 2010 Paralympic Winter Games Torch Relay (Canada-wide)

2010-03-12 to 2010-03-21

- 2010 Paralympic Winter Games (Vancouver and Whistler, BC)

2010-06-25 to 2010-06-27

- 2010 G8 Summit (Huntsville, ON)

TBA 2010

- North American Leaders' Summit (U)

2010 Olympic Torch Relay and the Olympic Games

In 2003, the International Olympic Committee (IOC) announced that Vancouver and Whistler, BC would be hosting the 21st Winter Olympic Games between 2010-02-12 and 2010-02-28. The sporting events and ceremonies will be taking place in Vancouver, West Vancouver, Richmond and Whistler, BC. Over 5,000 athletes from 80 countries will be participating in the Olympic Games and attendance is estimated at 250,000 people. The Olympic Games will be preceded by a nationwide Olympic Torch Relay, starting on 2009-10-30 and ending at the beginning of the Olympic Games on 2010-02-12. Over 12,000 torchbearers will carry the Olympic flame across the country. The torch will travel through 1,000 locations and will stop in nearly 200 communities for special celebrations before arriving in Vancouver, BC in February 2010. (U)

In an effort to reduce dissidence and encourage partnership for the Olympic Games, the Vancouver Olympic Committee (VANOC) engaged the Aboriginal communities early in the Olympic bid process. First Nations living on territories where the Olympic Games will take place, known as the Four Host First Nations³, are the official hosts of the Olympics, and have shown their support and worked with the VANOC to plan and organize the Olympic Games. Despite this unprecedented collaboration, some Aboriginal activist groups remain strongly opposed to the Olympics. (U)

First Nation representatives, including AFN National Chief Phil Fontaine, have publicly stated that protests from the Aboriginal community are expected to cause disruption and would increase as the Olympic Games approach. Aboriginal activists have clearly expressed their intent to protest and disrupt Olympic events, and will likely be among the protesters in February 2010, for the beginning of the Olympic Games. (U)

2010 G8 Summit and North American Leaders' Summit

The 2010 G8 Summit and North American Leaders' Summit are anticipated to be subject to extensive protest activity. (A)

3 Four Host First Nations represent Lil'wat, Musqueam, Squamish, and Tsleil-Waututh nations. (U)

Protected "A"**Aboriginal Activist and Activist Groups**

During the past year, a convergence of activist groups continued to occur and it can be attributed to the pending international major events occurring in Canada during 2010.⁴ This pattern of convergence is not unlike other countries who have hosted major international events. (A)

Due to this convergence, non-Aboriginal activist groups are participating or organizing protests and demonstrations with respect to Aboriginal issues. Some of these activist groups are considered multiple-issue groups with little or no direct link to Aboriginal communities. These non-Aboriginal multiple-issue activist groups include such as groups as No One Is Illegal and Peoples Global Action. (A)

This has resulted in Aboriginal issues and communities being brought into the spotlight when they might not have otherwise garnered media attention. The merging of Aboriginal issues with non-Aboriginal activist groups is expected to continue until mid-2010 and result in increased national and international media exposure. (A)

Anti-Olympic Aboriginal Activists

Past actions by anti-Olympic activists, combined with the geographic origin of their Internet presence, suggests that Vancouver, BC, the Greater Toronto Area, Guelph, and Ottawa, ON are the most likely cities to experience future acts of ideologically motivated vandalism. (A)

Native Youth Movement (NYM) (Annex C)

There are a small number of Aboriginal-based activist groups within Canada that have solely Aboriginal members or direct ties to Aboriginal communities. One

of the major groups that falls within this category is the NYM.

The Olympic Resistance Network (ORN)

Similar to previous statements made by Aboriginal groups and/or individuals, the ORN regards rail infrastructure as a legitimate target as rail companies are alleged to have stolen natural resources from indigenous lands and have played a large role in "colonizing" Canada. Both are alleged to have culminated in the widespread oppression of Aboriginal Peoples. (U)

- CP Railway is an Official Supporter of the Olympics. (U)
- Canadian National (CN) Railway's CEO Hunter HARRISON is a member of the North American Competitiveness Council, which the ORN opposes. (U)

Critical Infrastructure

The energy, transportation, and communications and information technology sectors all have CI that ensure the delivery of their products and services.

Historically, roadblocks and rail blockades are among the most common forms of Aboriginal protests affecting critical infrastructure. (A)

⁴ The major events include the 2010 Olympic Torch Relay, 2010 Olympic Games in Vancouver, BC, and G8 in Gravenhurst, ON in June 2010 and the North American Leaders' Summit.

ISSUES THAT CONTRIBUTE TO UNREST IN ABORIGINAL COMMUNITIES

The root causes of unrest in Aboriginal communities are issues, either real or perceived, that impact on the economic, social, cultural, physical or spiritual well-being of Aboriginal communities. They can vary from being universal to all Aboriginal people, to being as unique as the individual communities themselves. They can be simple and straight forward, or quite complex. (A)

Although not specific to all communities who have grievances, there are common issues that have contributed, or have the potential to contribute to tensions and conflicts in Aboriginal communities. (A)

The source of many of these common issues are external to Aboriginal communities and have the potential to influence and in some circumstance seriously impact Aboriginal communities on a national or regional level. Examples of common issues in Aboriginal communities that are from external sources include: federal legislation, court decisions, federal strategies and decisions, and environmental and sovereignty disputes. Additional common issues in Aboriginal communities that tend to be unique to each individual community include: internal conflicts, land claims, and social issues. (A)

Current examples of these common issues include:

(Additional Information in Annex E)

Federal Legislation

Specific Claims Tribunal Act

The *Specific Claims Tribunal Act*, which was enacted on 2008-10-16, creates an independent tribunal with binding powers to resolve specific claims that have been rejected for negotiation, or the negotiations have failed, or three years of unsuccessful negotiations has passed. (U)

Issues that may arise from the new commitments related to the Act include: concerns related to the \$150M limit on financial awards; the allocation of funds and resources to support the new legislation; and resolution of the reacquisition of land and additions to reserves issue, as currently only financial compensation are offered to settle land claims. (A)

Matrimonial Real Property

The *Family Homes on Reserves and Matrimonial Interests or Rights Act* is proposed legislation that was created to address the issue of matrimonial real property on reserves. The key issues related to the proposed legislation, if it should become law, is that it will not address the real issues faced by some Aboriginal families and will force families into provincial courts which is expensive and often requires long waiting periods. (U)

If the proposed legislation becomes law, the AFN and Native Women's Association Canada (NWAC) believe that it will not provide a solution or result



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in positive outcomes for Aboriginal families. In addition, it may also contribute to negative sentiments and tensions within Aboriginal communities due to the perceived lack of recognition of First Nations government and their jurisdictions, and the potential impact on Aboriginal rights. (A)

Court Decisions

Haida and Taku Supreme Court of Canada Decisions

The Supreme Court of Canada (SCC) decisions related to the *Haida Nation v. British Columbia* and in *Ringstad v. Taku River Tlingit* in 2004 established the duty to consult and in certain circumstances, accommodate, as the responsibility of the province in circumstances where the First Nations claims to the land has yet to be proven in court. (U)

Duty to consult remains an ongoing issue in many First Nations communities, particularly for energy sector projects in western Canada. It is an issue exasperated by various and conflicting interpretations of the duty to consult requirements. (A)

Sharron McIvor and the BC Court of Appeal Decision

Sharron McIvor, has worked for over 20 years to ensure that her children and grandchildren are recognized as Status Indians. Her challenge has focused on the *Indian Act* and its 1985 revision which have been argued to be discriminatory against Aboriginal women who married non-Aboriginal men, as well as their children. (U)

On 2009-04-09, the British Columbia Court of Appeal ruled the action of denying Indian status to the grandchildren of some Aboriginal women, based on the *Indian Act* as discrimination against these women. (U)

The British Columbia Court of Appeal's decision, the Government of Canada's (GoC) response and action, as well as the potential future SCC's ruling, will impact thousands of Aboriginal people, with the number of Status Indians potentially increasing by 50%. (U)

This potential increase in the number of Status Indians could have a serious financial impact on both the GoC and Aboriginal Communities. (A)

Federal Government Strategies and Decisions

Residential Schools Apology and Delays in Truth and Reconciliation Commission

On 2008-06-11 Prime Minister Stephen Harper apologized for the abuse, both physical and sexual that took place in the federally funded, church-run residential schools. The apology was in addition to the commitments made under the Indian Residential Schools Settlement Agreement which included payments to former Indian residential school students and the establishment of a Truth and Reconciliation Commission (TRC). (U)

As the TRC encountered unforeseen problems, it was unable to move forward on its mandate within the first year. These delays will be perceived by some as the GoC having done little to support the healing of Aboriginal people who attended Indian residential schools and may also have a diminishing effect on the 2008-06-11 GoC apology. The delays in action will also impact on the TRC objective to create a historical account of the Indian residential schools as survivors of Indian residential schools become aged and die. (A)

Auditor General of Canada May 2008 Report on First Nations Child and Family Services Program, Indian and Northern Affairs Canada

On 2008-05-06 the Auditor General of Canada (AGC) released her May 2008 report which included a review of the First Nations Child and Family Services Program of INAC. The report states that 5% of First Nations children living on-reserve are in care (in foster homes, group homes, or institutions), which is eight times the number of children living in care off-reserve. In addition, the report stated that there is no data available to determine if the child welfare services on reserves produce positive outcomes for the children they support. (U)

The response required to address the issues identified in the AGC report will require policy changes and a significant increase in funding. The findings in the report may be interpreted as confirmation that the health and welfare of First Nations children are not a priority of the GoC. (A)

Environmental Disputes

Various activities on Aboriginal land and land subject to Aboriginal land claims have sparked confrontations with members of the affected communities. Activities associated to: mining, oil drilling, logging, garbage dumps, construction of dams, highways, and expanding the industries such as the oil sands, can produce permanent impacts on the land, resources and people. (U)

Treaty, Hunting, Fishing Rights Disputes

Treaty, hunting, and fishing rights disputes can occur when members of an Aboriginal community react to what they believe to be an abuse of their entrenched rights to fish, hunt, log, or exploit other natural resources without interference from government authorities. Treaty rights are linked to land claims that address the way the land can be utilized. (U)

Sovereignty Disputes

Sovereignty disputes can occur when members of an Aboriginal community do not recognize the primacy of provincial and federal laws, and contravene these laws. These disputes are often tied to the management of community funds, particularly for communities subject to INAC 3rd party management, which removes financial decision making authority from the community. Disputes can also be linked to activities such as smuggling and illegal gaming. (U)

Economic Disputes

Economic disputes can occur in relation to an economic benefit or the retraction of an economic benefit that impacts members of an Aboriginal community. Grievances in this area can be related to the imposition of taxes or the loss of certain tax advantages. Disputes may also be triggered by real or perceived unfair hiring practices or by access to a percentage of certain natural resources. There have been incidents where members of Aboriginal communities have disputed the rights and distribution of the profits gained from commercial resource exploitation. (U)

Internal Conflict

Internal conflict within Aboriginal communities can be related to numerous issues including: management of community funds, governance, disputed leadership, elections, use of land, certain activities (i.e. gambling) and their opponents, and criminal activity. (U)

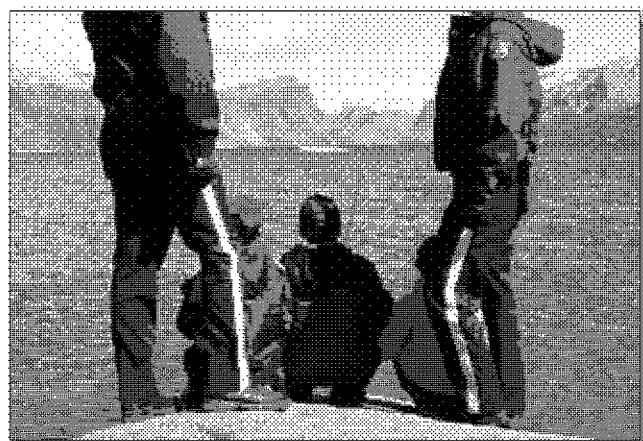
Land Claims

The two types of Aboriginal land claims in Canada are comprehensive claims and specific claims. Comprehensive claims address Aboriginal land rights that have not been addressed in past treaties or other legal means. Specific claims address grievances related to GoC's responsibilities under historic treaties or the management of First Nations' funds or assets. (U)

Land claim negotiations are of great importance to Aboriginal communities, as their outcomes can significantly affect the economic well-being of a community. As the resolution of land claims have often taken years to decades to resolve, disputed lands have often been subject to protest activity including roadblocks, blockades and occupations when faced with non-Aboriginal development or resource removal. (U)

Social Issues

Social issues that impact Aboriginals, both on and off-reserve include: poverty, substandard housing, homelessness, non-functioning community infrastructure, insufficient health care and educational services, a lack of effective addiction and social services and higher than average incarceration rates. These are issues involving Aboriginal communities and government bodies, at the local, provincial or federal level. (U)



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FINAL ASSESSMENT



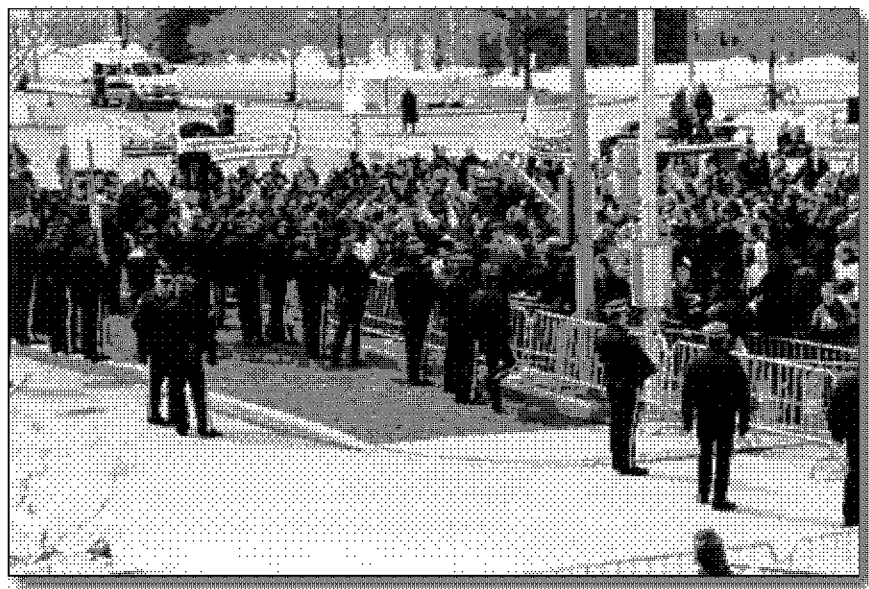
In recent years, Canada has not been subject to a large number of Aboriginal civil disobedience events. 2009/10 however, will present new opportunities for Aboriginal communities and activist groups who support Aboriginal issues to garner national and international attention due to the major events scheduled to take place. (A)

The new opportunities presented by the upcoming events, combined with ongoing unresolved issues in many Aboriginal communities, and the pattern of convergence among activist groups, all contribute to increased uncertainty and concern regarding Aboriginal protest activity in 2009/10. These variables contribute to the increased potential for large numbers of protestors attending these major events, and the potential for violence and criminal acts occurring with the purpose of ensuring national and international attention to Aboriginal issues. (A)

Law enforcement partners continue to collaborate in preparation for these events and the Vancouver 2010 ISU JIG and the 2010 G8 Summit ISU JIG are leading the efforts in identifying potential threats posed to public safety related to their individual events. (A)

The Aboriginal JIG continues to collaborate with RCMP detachments and divisions, law enforcement partners, in order to produce and disseminate intelligence concerning conflict and issues associated with Aboriginal communities. (A)

The ongoing sharing of information from these groups continues to support law enforcement efforts that contribute to the health and safety of Aboriginal communities and ensure the public safety of all Canadians. (A)



ABORIGINAL COMMUNITIES OF CONCERN (ANNEX A)

Quebec

Barriere Lake

Reserve Name

Rapid Lake (29 hectares [ha])

Band Name

Algonquins of Barriere Lake

Neighbouring Communities

- Maniwaki, QC (121km south-east of Rapid Lake)
- Ottawa, ON (250km south of Rapid Lake)

Police of Jurisdiction

Sûreté du Québec

Population

- 665
- (546 on-reserve or on own crown land and 119 off-reserve)

Chief

Casey RATT

- appointed on 2008-01-30 with an end date of 2012-01-29

Issues:

- Community leadership dispute (U)
- Logging rights (U)
- Quality of life concerns including housing and poverty (U)

Background

Issues related to community leadership, logging rights and quality of life concerns have been ongoing for more than 10 years, causing tension within the community and conflict among the community, the federal and Quebec governments, and logging companies. (A)

The Algonquins of Barriere Lake signed a trilateral agreement on forestry conservation with the federal and Quebec provincial governments in 1991 which expired in 1995. It was replaced by a bilateral agreement between Quebec and the Algonquins of Barriere Lake in 1998.

The community leadership dispute began in September 2007.

Although the Algonquin Nation Secretariat tribal council recognized NOTTAWAY as the legitimate Chief on 2008-02-22, Quebec Indian Affairs legitimized RATT's authority in a letter on 2008-03-07 indicating that they would no longer work with previous leadership. (U)

An INAC-appointed third-party manager is currently in place in the community to oversee program funding and services. The community has pursued court action to remove the third-party manager and has threatened to block the manager from accessing the community. (A)

Current Status

Barriere Lake community members and their numerous supporters participated in several protest activities between April 2008 and January 2009 located in Rapid Lake, Gatineau, QC, Ottawa, and Toronto, ON. These protests continued to focus on the demand for a leadership re-election and that the government respect signed agreements with the community. Several of the

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protests were peaceful in nature, however the following events required either police interaction, or stopped traffic, or both. (U)

On 2008-06-26, a protest at MP Lawrence Cannon's office in Buckingham,

On 2008-10-06, Highway 117, the main Highway running through La Verendrye Park was completely blocked |

On 2008-11-19, Highway 117 was again blockaded, this time in two places. .

On 2008-11-21, approximately 40 protestors demonstrated at the Quebec-Ontario Inter-Governmental Relations Office in Toronto, ON. Some of the demonstrators were from the groups "No One Is Illegal". Traffic was blocked on Queen Street for a short duration and the demonstrators dispersed after provincial officials agreed to meet with them. (A)

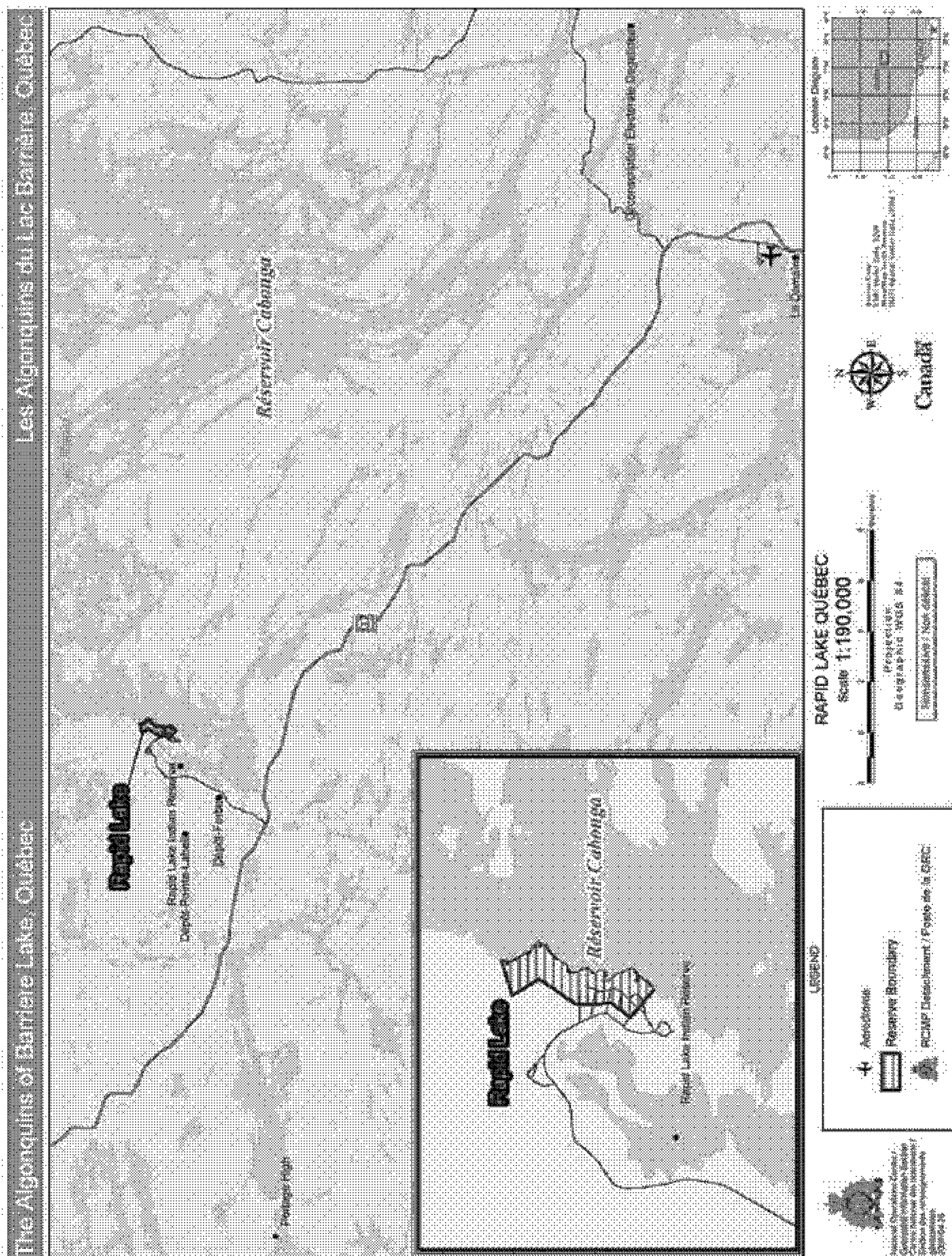
The community remains under INAC third-party management, however on 2009-03-16, the federal court heard an application for the judicial review of the INAC appointment of a third-party manager. Of the approximately 200 Barriere Lake community members who arrived at the court, 50 were permitted into the court room to hear the proceedings.

and the application was heard without incident. The court's decision is pending. (A)

Outlook

The federal court's decision concerning INAC third-party management will influence future action by community members. The additional issues in the community are unresolved, deeply entrenched and will take considerable time and effort on the part of all parties to resolve. (A)

Future protest action, both peaceful and non-peaceful is likely from members of the community and their supporters and will take place in the community and at previous protest sites. (A)



Protected "A"**Kahnawake****Reserve Name**

- Kahnawake 14
- Doncaster 17 (an uninhabited reserve approximately 90km north of Montreal shared with the Mohawks of Kanesatake)

Band Name

Kahnawake

Neighbouring Communities

Montreal, QC (8km north-east of Kahanawake 14)

Police of Jurisdiction

Kahnawake Mohawk Peacekeepers

Population

8600

Chief

Michael DELISLE Jr.

Issues

Land claim and disputed land issues, currently as they relate to the extension of Highway 30. (U)

Background

In 1990 as a show of solidarity with the Kanesatake Mohawks involved in the Oka Crisis, Mohawks at Kahnawake erected barricades blocking traffic on the Mercier Bridge for over a month. The Mercier Bridge traverses the Kahnawake territory as it connects with the South Shore from the Island of Montreal. At certain points during the Oka Crisis, the Mokawks at Kahnawake had blocked the Mercier Bridge and Routes 132, 138 and 207. (U)

On 2007-06-29, National Day of Action, approximately 150 Mohawk protesters from the Kahnawake reserve forced the closure of the Mercier Bridge to the city's South Shore for over an hour. At one point they strung a banner over Highway 138 leading to the bridge which read: "Canadian government still practicing genocide upon native people with fraudulent self-government policy." The demonstration ended peacefully. (U)

Current Status

The expansion of Highway 30, which was identified by the federal government as one of the top five infrastructure priorities for Canada, met with opposition from Kahnawake members in May 2008. The extension, as planned would cross the Seigneurie of Sault St Louis — an area of land included in a land claim that has been the subject of negotiations with the federal government since 2005. To settle the claim the Kahnawake band council requested areas of Crown land and privately owned lands that share the common border with the Kahnawake reserve, an unspecified sum of money and additional concessions to compensate for the loss of the original territory. (U)

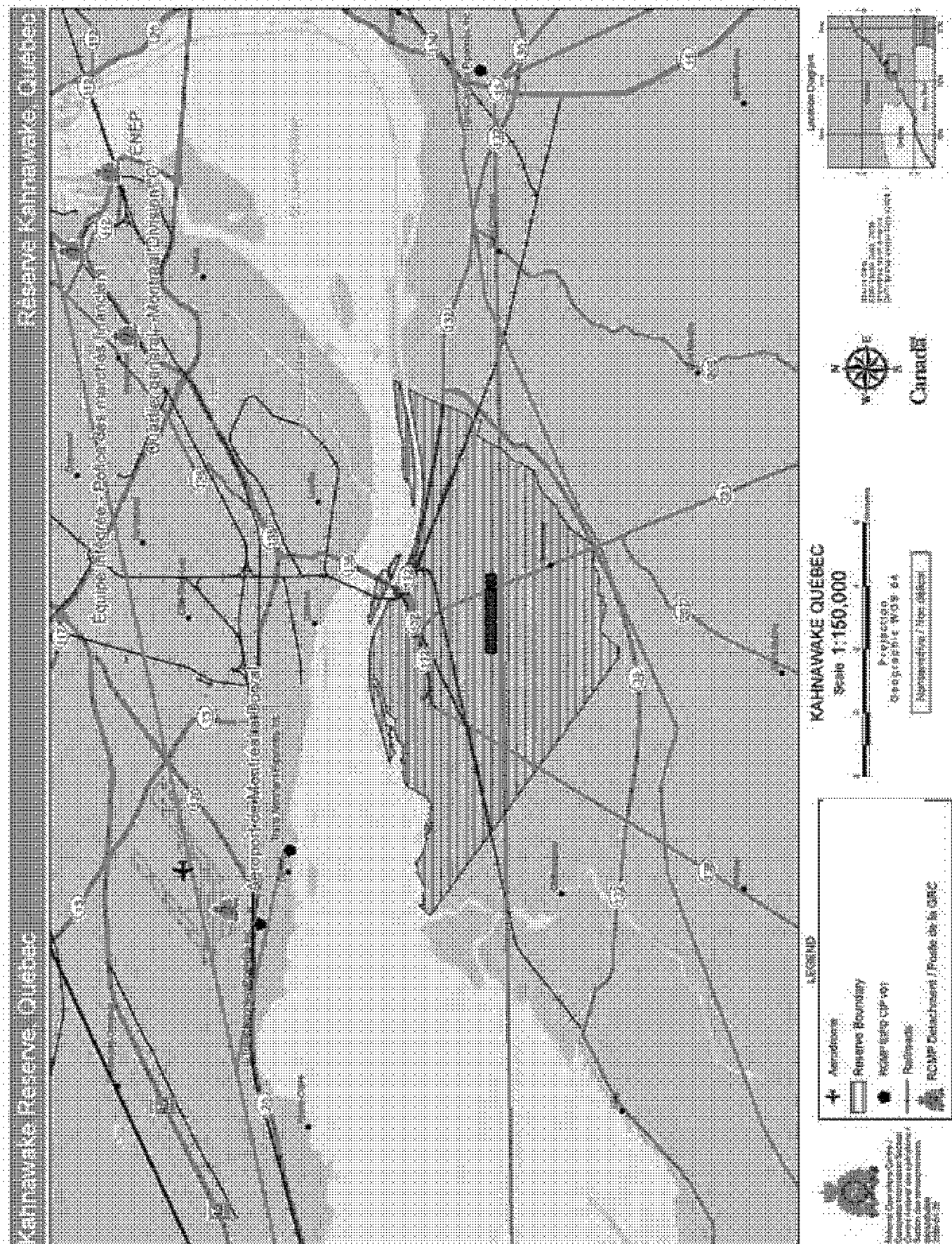
Work on the Highway 30 expansion started on 2008-06-03 after an agreement was reached between the Quebec government and the Kahnawake band council, although not all of the community supported the agreement, with some stating that the decision was not representative of historic Mohawk values. (U)

This divergence of position was made clear on 2008-08-14, when approximately 25-30 masked members of Kahnawake's Traditional Council, who are independent of the Kahnawake Band Council, gathered in front of machinery being used to extend Highway 30. The protesters affirmed that the Kahnawake Band Council illegally sold the land to the Quebec government and that it rightfully belongs to the Mohawks. Protesters also put up a "Mohawk Territory. No trespassing" sign. (A)

Protected "A"***Additional CI Details******Outlook***

The Kahnawake reserve has both a history of violent militant behaviour and members of the community who continue to employ militant behavior such as roadblocks and bridge closures as part of protest activity. Currently issues related to the extension of Highway 30 have been resolved, however future protest activity including blocking of the Mercier Bridge and local highways will likely occur in response to new land claim or disputed land issues. (A)

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Aboriginal Communities Issues, Events and Concerns — 2009/10 — Protected "A"

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Kanesatake

Reserve Name

- Kanesatake Lands (907ha)
- Doncaster 17 (7900ha) (an uninhabited reserve approximately 90km north of Montreal shared with the Mohawks of Kahnawake)

Band Name

Mohawks of Kanesatake

Neighbouring Communities

- Montreal, QC (53km east of the Kanesatake Lands)
- Ste. Agathe, QC (16km south-west of Doncaster 17)

Police of Jurisdiction

Sûreté du Québec

Population

- 2032
- (1342 on-reserve or other band crown land and 690 off-reserve)

Chief

Paul Sohenrise NICHOLAS

Issues

Land claim and disputed land issues. (U)

Background

The Mohawks of Kanesatake have a history of protest and violence related to long standing land claim and disputed land issues. The most prominent dispute was the Oka Crisis in 1990. This protest event was in response to the proposed expansion of a golf course onto land the Mohawks stated included a burial ground and a sacred grove of pines. The standoff between the Mohawks and the police and military lasted 78 days, resulted in the death of one Sûreté du Québec Corporal and in response to the crisis, the cancellation of the golf course expansion. (U)

In January 2004, the police Chief and his officers were trapped in the Kanesatake Mohawk Police headquarters for two days when an angry group of residents blockaded

the police station. Grand Chief Gabriel's house was also burned to the ground.

Current Status

Since the mid-1990's the Mohawks of Kanesatake have voiced concern over a proposed niobium mine near Oka. There is concern that the mine's uranium-laced waste could affect the food and water supply for the band. NIOCAN's proposed mine was the focus of a No One is Illegal — Vancouver stop the mine "letter writing" campaign to the Quebec Minister of Sustainable Development, Environment and Parks in 2005. There is no evidence that this campaign had any effect on the proceedings. (U)

This NIOCAN mining project is set to commence in 2010 although the Mohawks of Kanesatake, via a briefing to the "La Presse" newspaper in April 2008 have publically declared that it will not be permitted. The briefing mentioned the protests against the Sharbot Lake and KI mining project in Ontario, declaring that it is now time for the Mohawks of Kanesatake to act. (U)

In mid-December 2006 the federal government announced that expropriated farmland in the region of Mirabel would be returned to farmers who wanted to buy it back. The land was originally expropriated in 1969 to construct the Mirabel Airport north of Montreal. (U)

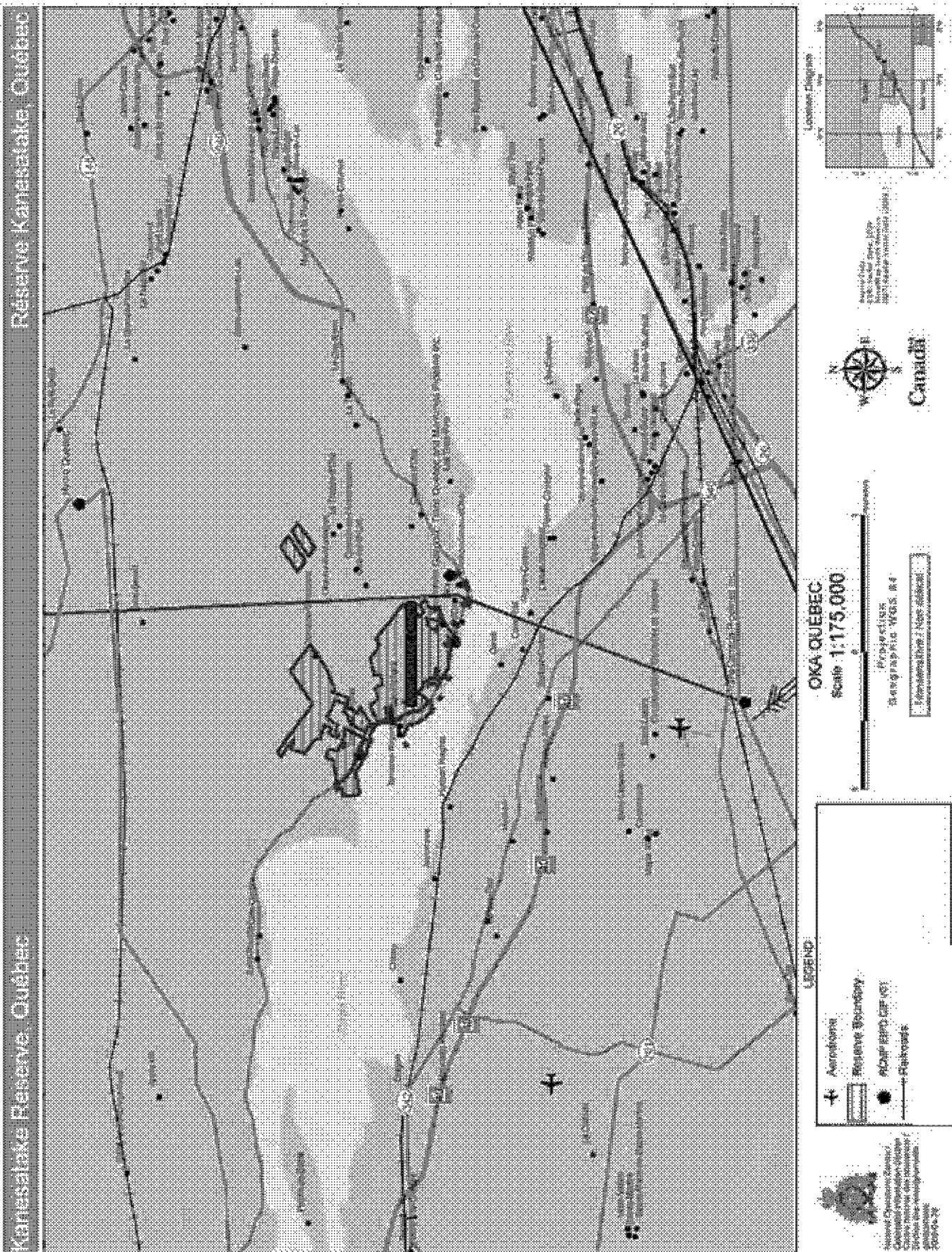
The Kanesatake Mohawk Nation filed a claim with the federal government to that land as part of the Seigneurie of Lake of Two Mountains in December 2006. On 2008-04-14, the GoC accepted the specific claim regarding the Seigneurie of Lake of Two Mountains, under the Specific Claims Policy and on 2009-01-15, Mr. Michel de Grandpré was appointed the Chief Federal Representative. Mr. Grandpré will conduct the initial steps required in order to develop an agreement which will settle the claim. (U)

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Outlook

Militant elements within Kanesatake are likely to carry out actions such as road blocks and violence if any of their allied communities are threatened. Due to Kanesatake's history of militant action it is likely that the NIOCAN niobium mining project will result in additional protest activity including road blocks. (A)

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Aboriginal Communities Issues, Events and Concerns — 2009/10 — Protected "A"

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Protected "A"**Listuguj****Reserve Name**

Listuguj (4013ha)

Band Name

Listuguj Mi'gmaq Government

Neighbouring Communities

- Pointe-à-la-Croix, QC (1.5km north-east of Listuguj)
- Campbellton, NB (4km south of Listuguj; across the J.C. Van Horne Bridge)
- Bonaventure, QC (118km north-east of Listuguj)

Police of Jurisdiction

Listuguj Police Service

Population

- 3382
- (1978 on-reserve and 1390 off-reserve)

Chief

Allison METALLIC

Issues

Harvest of timber fishing, hunting, self-government and land claim issues. (U)

Background

Listuguj, also known as Restigouche, has been the site of confrontations in the past. A standoff between militants and the police occurred in 1998 over disputed logging rights. Other potential problems for Listuguj First Nation are in forestry, fishing, self-government and land claim issues. (U)

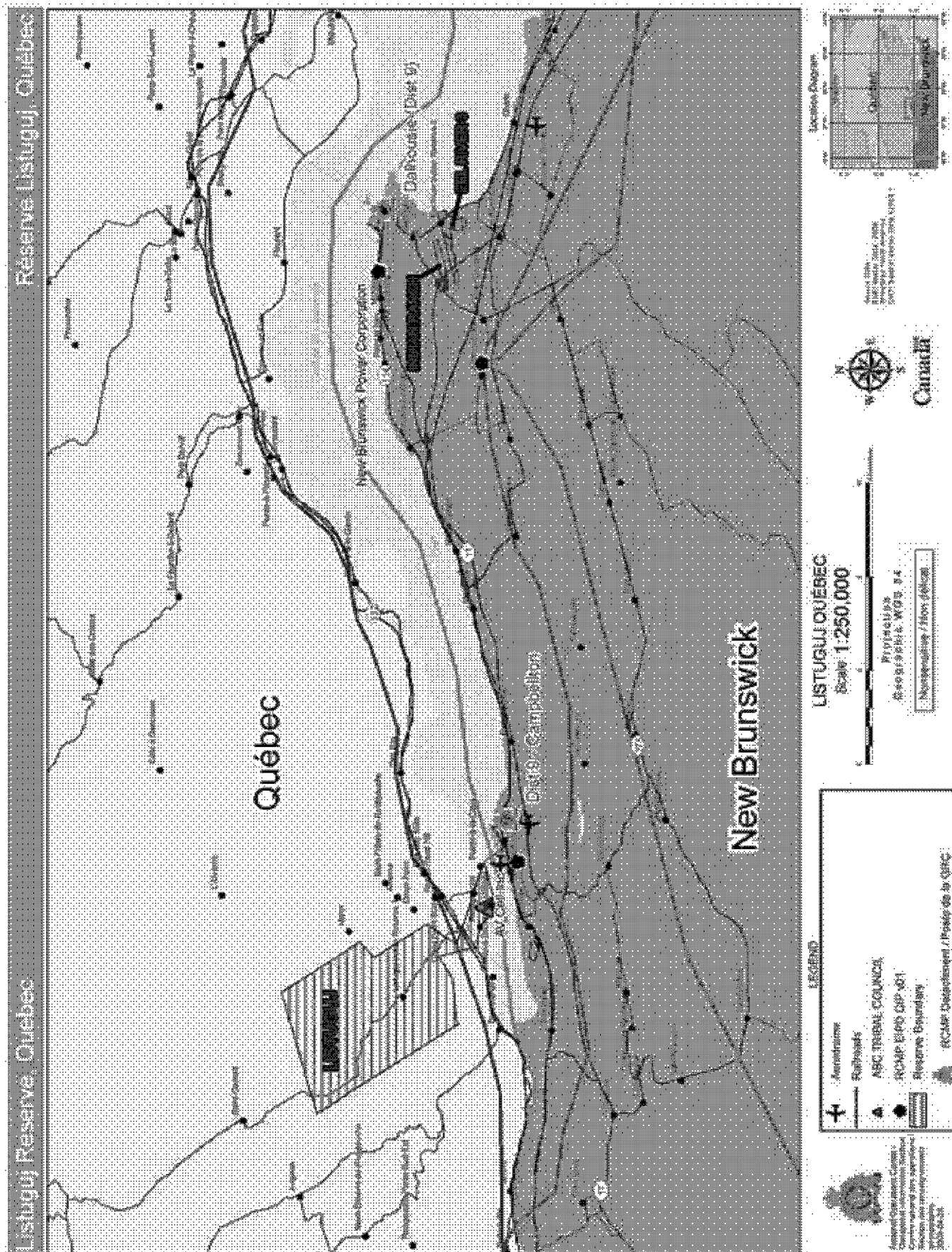
Members of Listuguj First Nation briefly set up a road block on the inter-provincial bridge between Quebec and New Brunswick on 2007-03-02 to pressure the Quebec government into signing a police services agreement. An agreement was quickly signed and the blockade ended. (U)

Current Status

The Mi'kmaq people of Listuguj are committed to ensuring governments fulfill their duty to consult and accommodate the Mi'kmaq on any development in their territory. Issues related to the harvest of timber, fishing and hunting remain but are not subject to recent protest or civil disobedience activity. (U)

Outlook

Listuguj's history of militant action makes it likely that any local dispute or action in support of other Aboriginal communities may result in road and/or rail blockade. (A)



Protected "A"**ONTARIO****Akwesasne**

Reserve Name

- Akwesasne 15 (Island on St. Lawrence River at Cornwall; 3646ha)
- Akwesasne 59 (Cornwall Island and additional island on St. Lawrence River at Cornwall; 1093ha)

Band Name

Mohawks of Akwesasne

Neighbouring Communities

Reserve is located outside of Cornwall, ON and across the borders of Quebec, Ontario and New York State.

Police of Jurisdiction

Akwesasne Mohawk Police Service

Population

- 10844
- (8783 on-reserve, or on crown land and 2061 off-reserve)

Chief

Dooley THOMPSON

- appointed on 2006-06-21 with an end date of 2009-06-20

Issues

Jurisdiction and governance issues due to its unique geographic location. (U)

Background

Longstanding jurisdictional issues exist due to Akwesasne's geographic location in Ontario, Quebec, and the state of New York, complicating the interdiction of goods and individuals within the reserve. (U)

The Mohawks of Akwesasne are members of both the Mohawk Nation and the Iroquois Confederacy. The Akwesasne reserve has a history of militant acts both in support of local issues and in support of their allied communities including Tyendinega, a member of the Mohawk Nation, and the Iroquois Confederacy, and Six Nations of the Grand River, a member of the Iroquois Confederacy. (A)

At Akwesasne, the National Day of Action on 2007-06-29, included a number of speeches from various politicians including Former Prime Minister, Paul MARTIN, elders and youth along with former Grand Chiefs and Mohawk Confederacy Association Chiefs. It was a peaceful rally and day of entertainment. (U)

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Current Status

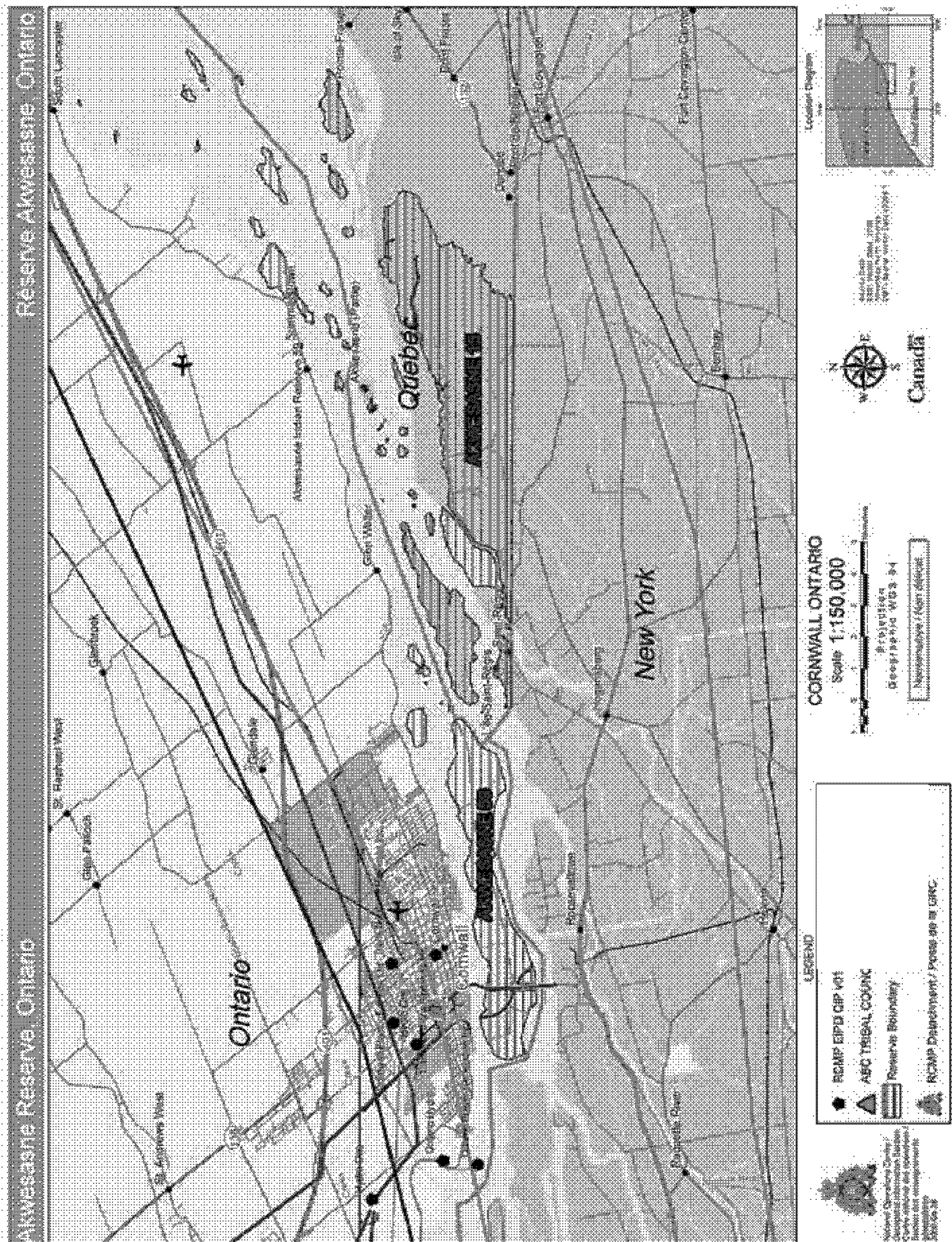
The Mohawks of Akwesasne and the GoC continue negotiations related to the Dundee land claim, which involves a territory consisting of 20,000 acres in west Quebec on the south shore of the St. Lawrence River. Negotiations regarding this longstanding claim began again in 2005, and the claim is currently the subject of mediation by the Indian Claims Commission with the goal of reaching a resolution. (U)

The arming of Canadian Customs officers is scheduled to begin at the Kawehnoke (Cornwall Island) Port of Entry on 2009-06-01. The Mohawk Council of Akwesasne opposes the arming of customs officers and in March 2008 passed a resolution banning the carrying of firearms by customs officers at the Kawehnoke Port of Entry. The Mohawk Council of Akwesasne has also attempted to address this issue with the Minister of Public Safety and the Prime Minister and have yet to receive a response. (U)

The Seaway International Bridge links Cornwall, ON, Akwesasne and Massena, NY, handling over 120,000 commercial and 2.3 million passenger transits annually. (U)

Outlook

The issue of arming custom officers at the Kawehnoke Port of Entry will be met with increasing opposition from the Mohawks of Akwesasne due to the perceived threat to the safety of community members. The community's history of militant action makes it likely that protest will include roadblocks of the Seaway International Bridge and associated roadways. (A)



Grassy Narrows First Nation**Reserve Name**

English River 21 (4145ha)

Band Name

Grassy Narrows First Nation

Neighbouring Communities

Kenora, ON (85km south-west of English River 21)

Police of Jurisdiction

Treaty Three Police Service

Population

- 1352
- (885 on-reserve or on crown land and 467 off-reserve)

Chief

Simon FOBISTER

- elected on 2008-04-06, with an end date of 2010-04-05

Issues

Logging in the Whiskey Jack Forest (U)

Background

Members of the Grassy Narrows First Nation have been protesting the clear-cut logging practices in the Whiskey Jack Forest which is considered by Grassy Narrows to be part of their traditional territory. The disputed land is provincial crown land. (U)

The logging dispute has resulted in a number of protests between December 2002 and January 2008. (U)

Protesters aimed at pressuring the provincial government and logging companies to cease logging activities in the disputed area. (A)

Current Status

On 2008-05-12, the Natural Resources Minister and Grassy Narrows Chief signed a Memorandum of Understanding to create a positive, long-term relationship between the First Nation and the province by beginning new talks on forest management. (U)

The working agreement will establish the framework for activities extending over several years, such as "completing a traditional use study, completing an environmental inventory that includes traditional knowledge, identifying economic and capacity-building opportunities to increase the participation of Grassy Narrows First Nation in the forest economy, and launching a pilot project to develop ways to integrate Grassy Narrows' traditional uses and areas of cultural significance with forest management activities." The results of the work will be used to negotiate a long-term agreement between the province and Grassy Narrows. (U)

Outlook

The community may react similarly to future disputes and block access to transportation routes. (A)

Kitchenuhmaykoosib Inninuwug (KI) First Nation (aka Big Trout Lake)

Reserve Name

Kitchenuhmaykoosib Aaki 84 (29 937ha)

Band Name

Kitchenuhmaykoosib Inninuwug

Neighbouring Communities

Kenora, ON (550km south-west of Kitchenuhmaykoosib Aaki 84)

Police of Jurisdiction

Big Trout Lake Police (Administered by the OPP)

Population

- 1359
- (934 on-reserve or on crown land and 425 off-reserve)

Chief

Donald Ian MORRIS
- elected 2005-11-25

Issues

Dispute with Platinex Inc. (U)

Background

Platinex Inc., a Toronto mining company, began drilling on KI land in February 2006, with authorization from the Ontario government. The KI First Nation argued that Platinex was given permission to explore and drill on the community's traditional territory without any consultation. (U)

Current Status

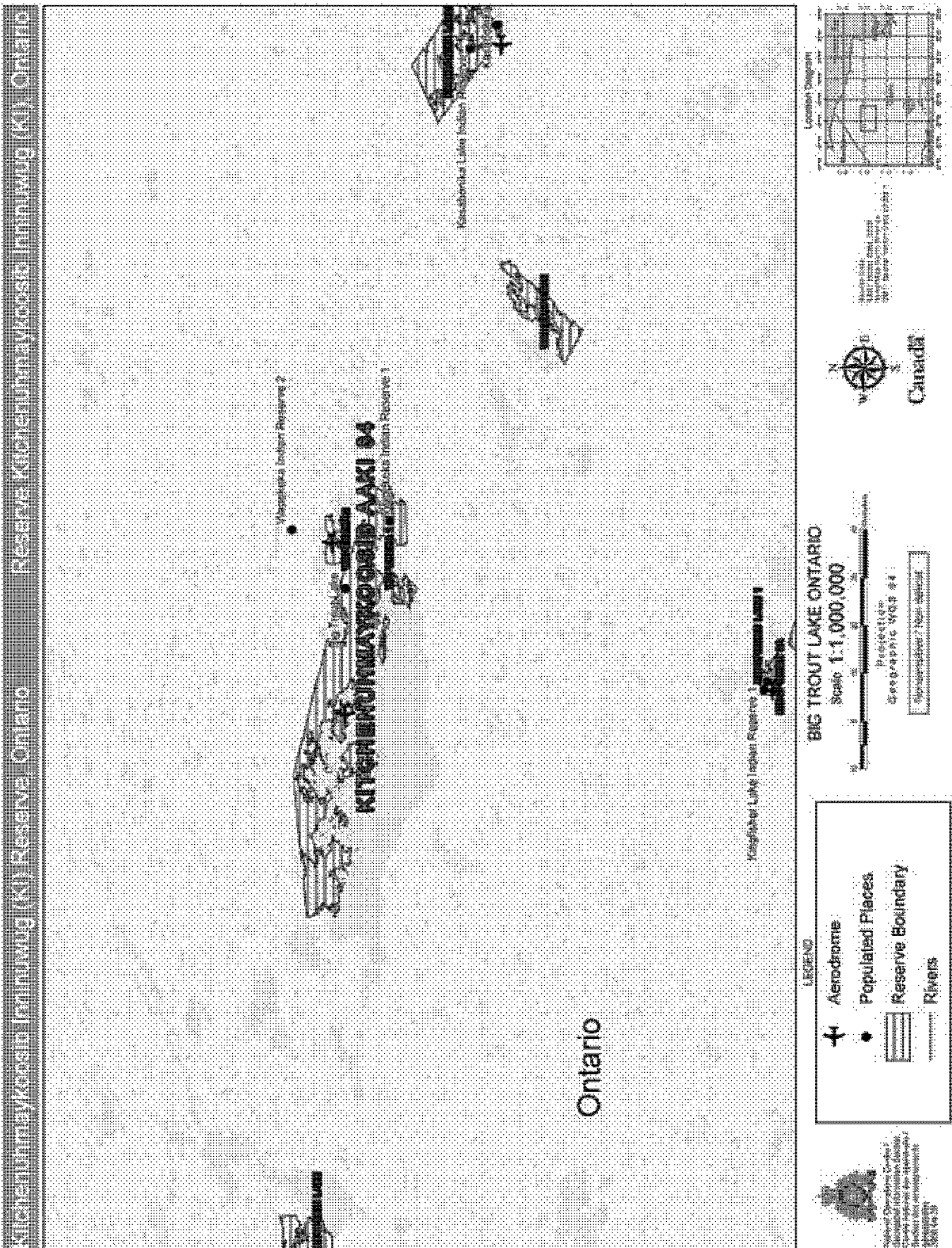
In early 2009, in consultation with a number of First Nations communities, the Ontario government conducted a review of Ontario's Mining Act. The Ontario government plans to amend the act in a way that will balance the needs of mining companies with Aboriginal concerns. (U)

Outlook

The KI First Nation remains committed to ensuring their concerns related to the impact of mining and forestry are addressed by the Ontario government. (U)

Given the KI's previous activities, it is possible future disputes could result in blockades and demonstrations. (A)

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Aboriginal Communities Issues, Events and Concerns — 2009/10 — Protected "A"

Munsee-Delaware Nation

Reserve Name

Munsee-Delaware Nation 1 (1054ha)

Band Name

Munsee-Delaware Nation

Neighbouring Communities

- St. Thomas, ON (24km east of Munsee-Delaware Nation 1)
- London, ON (40km north-east of Munsee-Delaware Nation 1)

Police of Jurisdiction

Munsee-Delaware Police (Administered by the OPP)

Population

- 545
- (169 on-reserve and 376 off-reserve)

Chief

Patrick WADDILOVE

- elected 2008-03-30 with an end date of 2010-03-30

Issues

Green Lane Landfill (U)

Background

In late 2007, Toronto-based company, SF Partnership Inc, re-opened a landfill site located 10 kilometres from the Munsee-Delaware First Nation community. In protest to the sale, the Munsee-Delaware erected a blockade at the landfill entrance in November 2007, preventing trucks from entering the site. Support was also provided by the Haldimand Against Landfill Transfers (HALT) group and members of the Six Nations. (U)

Munsee-Delaware's neighbouring communities of Oneida and the Chippewa First Nations were consulted and signed a compensation agreement prior to the sale. The Munsee-Delaware community was never invited to participate in discussions and is seeking its own settlement. (U)

Of concern is the dump's potential impact on the community's drinking water. The Munsee-Delaware community uses untreated water from wells and does not have a water treatment system. (U)

Current Status

The City of Toronto offered the Munsee-Delaware community a benefit agreement, however the Munsee-Delaware is refusing to sign the offered agreement, with the aim of negotiating directly with the city. The community is seeking a separate agreement that includes among other things, a water filtration system. (U)

Outlook

While there is no history of violent behaviour, the Munsee-Delaware demonstrated militant behaviour by erecting a blockade in 2007. Because the issue remains unresolved, it is possible that Munsee-Delaware will resort to similar activities in the future as a means of addressing the problem. (A)

Shabot Obaadjiwan and Ardoch Algonquin First Nations

The Ardoch Algonquin First Nation and the Shabot Obaadjiwan First Nation are non-status Algonquin communities located in the Madawaska, Mississippi and Rideau watersheds, approximately 60km north of Kingston, near Sharbot Lake, ON. (U)

Issues

Dispute with Frontenac Ventures Corp. and the government of Ontario (U)

Background

Members of the Ardoch Algonquin First Nation and the Shabot Obaadjiwan First Nation formed the Algonquin Alliance (AA) in June 2007, with the aim of prohibiting the use of their land for natural resource development in Ontario. (U)

In June 2007, Frontenac Ventures Corp. planned to commence an exploration program to obtain uranium samples and eventually develop a mine on the property. The AA however, claimed that the Province of Ontario breached their Aboriginal rights and failed to consult them before granting Frontenac Ventures access to land they claim as their own. (U)

The AA occupied the site from late June to mid-October 2007, despite injunctions granted in response to requests from the company. The injunctions ordered the protestors off the site and gave police the authority to arrest them. (U)

Current Status

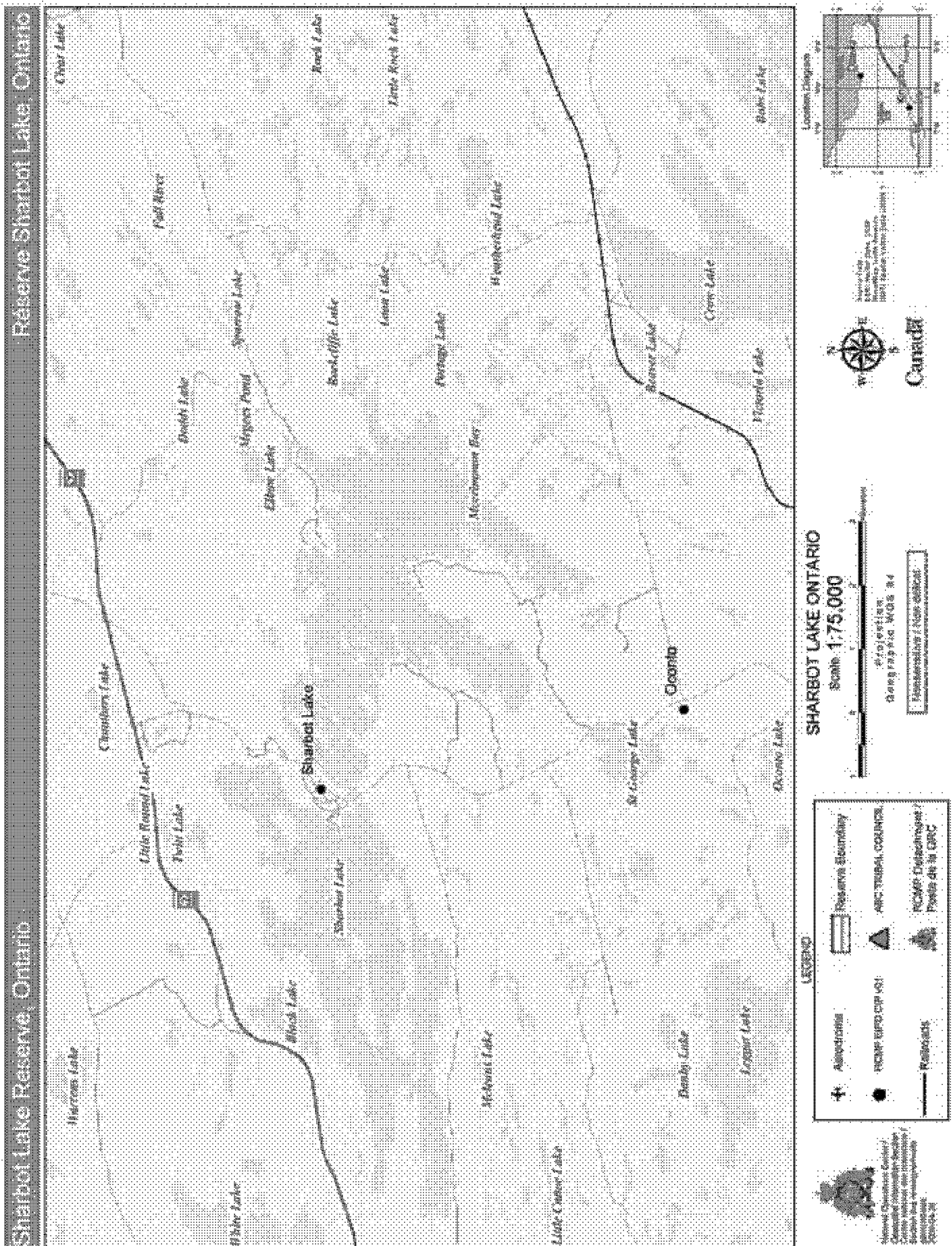
Following negotiations in November 2008, Frontenac Ventures, the government of Ontario and the Shabot Obaadjiwan, signed a Memorandum of Understanding. According to the agreement, sacred lands, water, wetlands and the surrounding areas will be protected from drilling. (U)

The Ardoch First Nation did not participate in the Memorandum of Understanding and are still in negotiations with the government of Ontario. (U)

Outlook

It is possible that more demonstrations will occur as the issue has yet to be resolved between Ardoch First Nation and Frontenac Ventures Corp. (A)

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Aboriginal Communities Issues, Events and Concerns — 2009/10 — Protected "A"

Six Nations of the Grand River

Reserve Name

- Six Nations 40 (18 278ha)
- Glebe Farm 40B (41ha)

Band Name

Six Nations of the Grand River

Neighbouring Communities

- Hamilton, ON (25km north-east of Nations 40 reserve)
- Brantford, ON (8km north-west of Six Nations 40 reserve)
- Caledonia, ON (<5km east of Six Nations 40 reserve)
- Hagersville, ON (<5km south-east of Six Nations 40 reserve)

Police of Jurisdiction

Six Nations Police

Population

- 22 294
- (11 297 on-reserve)

Chief

William Kenneth MONTOUR

- elected on 2007-12-07 with an end date of 2010-12-06

Issues

Extensive land claim and disputed land issues. (U)

Background

The Six Nations of the Grand River (SNGR) consist of the Mohawk, Oneida, Cayuga, Seneca, Onondaga, and Tuscarora and has the largest population of all First Nations in Canada. (U)

The SNGR's land claim issues are extensive, complex and date back to the 18th century. Between 1980 and 1995 the SNGR band council filed 29 claims against the GoC related to the unlawful surrender of their land, the majority of which lays within an area of 950 000 acres

known as the Haldimand Tract. One of these claims was settled in 1987. (U)

In March 1995, the SNGR filed a lawsuit against the GoC and the province of Ontario which featured 14 of the 28 outstanding land claims, which represented how their land and money were mismanaged by both the GoC and the province of Ontario. All previously submitted claims were suspended at that time in order to focus on the land claims included in the lawsuit. (U)

Since 1995, negotiations between the SNGR, GoC, and the province of Ontario have been ongoing. The process has evolved from active litigation to out-of-court negotiations. In May 2007 the GoC made an offer of \$125M with respect to 4 of the 14 outstanding claims. These claims include the Welland Canal, Grand River Navigation Company Investment, Block 5 — Moulton Township and Burtch Tract land claims. None of the claims include the disputed Douglas Creek Estates (DCE) property which is part of the Plank Road/Port Dover claim which remains outstanding. (U)

As the GoC was unable to provide the formula used to determine the compensation, it was agreed by all parties to focus on the Welland Canal claim as it appeared the simplest to resolve. In December 2007 the GoC made a subsequent offer of \$26M to resolve the Welland Canal claim. (U)

The ongoing development of lands under claim by the SNGR combined with a lack of tangible progress in resolving these claims have contributed to ongoing protest in the form of blockades, roadblocks and occupations by SNGR and their supporters at development sites in Caledonia, Brantford, and Hagersville, ON. The most notable dispute started on 2006-02-28 at the DCE building site in Caledonia, ON. Protests included blockades and roadblocks by both members of the SNGR and their supporters, and by residents of Caledonia, ON. (U)

The DCE land was purchased from developers by the Ontario government on 2006-06-16 and remains parts of the SNGR's Plank Road/Port Dover land claim which has yet to be the subject of negotiation. (U)

In response to ongoing development, members of the SNGR created the Haudenosaunee Development

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Institute (HDI). The HDI collects application and other fees from developers with projects within the disputed Haldimand Tract area. Since its creation in 2007 the HDI states they have collected tens of thousands of dollars even though the Ontario government has stated that the HDI has no authority or jurisdiction to run their own approval system. A developer stated in March 2008, that meeting the HDI's demands would reduce the likelihood his site would be the target of protest. (U)

Current Status

Protests by members of SNGR have continued at numerous development sites in communities surrounding the Six Nations 40 reserve. Protests have occurred at a planned new hotel site, residential home developments and at a planned new medical centre. (U)

In May 2008 the city council of Brantford, acting against repeated protests by SNGR protestors at development projects, passed bylaws to prohibit interference with construction or access to property by protestors. In response to continued protest actions at development sites, the city of Brantford served an injunction against the SNGR protestors, asking the court to order \$110M in damages from the SNGR protestors and for the police to arrest protestors. (U)

An interim prohibition of protestors at construction sites was ruled by a Superior Court Judge on 2008-06-02. On 2009-03-16 the province of Ontario was ordered by the court to join the court action resulting from the city of Brantford's injunction request. One solution being considered by the judge is a court-mandated consultation process that would force all parties to negotiate a settlement with one another. The injunction hearing will continue in May 2009. (U)

2008-08-29 the GoC's offer of \$26M related to the Welland Canal land claim was refused by the SNGR who submitted a counter offer of \$500M. On 2009-01-28 the GoC confirmed its belief that the \$26M offer to settle the claim was fair. Negotiations are ongoing. (U)

On 2009-04-04, a land developer in Hagersville was granted an injunction barring SNGR protestors from stopping work at his development site. As part of the injunction order, the developer and its designates were approved to use reasonable force to stop and/or remove

trespassers from the development site. The actions of the Haudenosaunee Men's Fire (HMF) were described by the justice as amounting to both criminal and civil misconduct. The HMF is an organization comprised of SNGR members who have been involved in protests in order to defend SNGR land rights. During the injunction proceedings, representatives of the HDI stated that they would be duty-bound to take action if the injunction was granted. (U)

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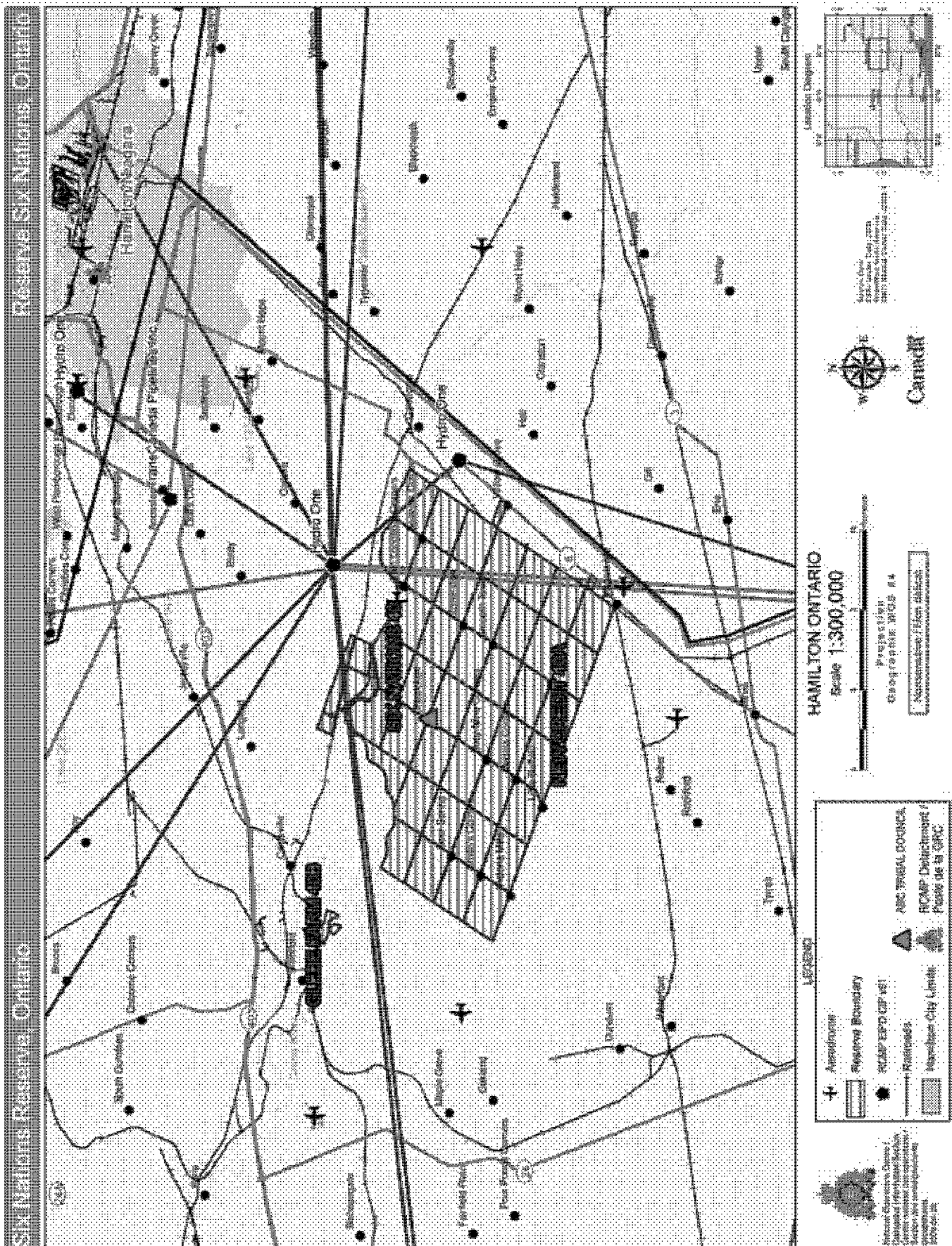
Previous rail-related incidents taking place in Caledonia itself include the burning of a rail bridge in 2006-04-20. (U)

Outlook

Land development projects in the communities surrounding the Six Nations 40 reserve will continue to be met with protest action, regardless of court orders, unless agreements have been made with the HDI. Although the majority of protest activity is peaceful in nature, the granting of authority to remove protestors who trespass to a local developer has the potential to inflame protest actions to violence. (U)

Protected "A"***Key Individuals***

- Haudenosaunee Development Institute (HDI).
An organization with the mandate to control development on disputed land in Caledonia, ON. The Ontario government has rejected the authority of the HDI, however, the HDI continues to assert that the group's consent is required for all projects on SNGR land. (U)



Protected "A"**Tyendinaga****Reserve Name**

Tyendinaga Mohawk Territory (7362ha)

Band Name

Mohawks of the Bay of Quinte

Neighbouring Communities

- Belleville, ON (10km west of reserve)
- Deseronto, ON (adjacent to the east border of the reserve)

Police of Jurisdiction

Tyendinaga Police (administered by the OPP)

Population

- 7835
- (2126 on-reserve and on no-band crown land and 5709 off-reserve)

Chief

R. Donald MARACLE

- appointed on 2007-12-18 with an end date of 2009-12-17

Issues

- Land claim issues (U)
- Operation of the local quarry (U)
- Water contamination (U)
- CN rail lines (U)
- Purchase of a new police station (U)

Background

The community of Tyendinaga Mohawk Territory (TMT) has a history of protest and militant actions related to their ongoing issues. (A)

The Mohawks of the Bay of Quinte (MBQ) land claim commonly known as the Culbertson Tract comprises approximately 827 acres of land adjacent to the east of the Tyendinaga territory and encompasses approximately one half of the town of Deseronto, ON. The land claim states that the land was improperly taken from the MBQ in 1837 and has never been relinquished to any

government body. The land claim was accepted by the GoC in 2003 and negotiations began in 2008. (U)

The TMT reserve has been subject of a boil-water advisory since 2006-10-13. 50% of the reserve is subject to this advisory which is due to contamination of the watershed by the local landfill. Half of those subject to the boil-water requirement cannot use their water for drinking, washing, or bathing (U)

As the MBQ land claim remains unresolved, actions related to development on, and removal of resources, including gravel, from this disputed land have been met with protest and militant behaviour including intimidation and blockades. Protests have also occurred in order to draw national attention to the issues the community faces. (A)

Examples of protest activity include:

- blockade of the CN rail line that traverses the TMT April 2007 and 2007-06-29; (U)
- roadblocks erected on Highway 401 and Highway 2 which halted traffic for several hours on 2007-06-29; (U)
- occupation of the Thurlow Aggregates Quarry, owned by non-Aboriginals, by members of the MBQ, started in March 2007,
- roadblocks erected from 2008-04-20 to 2008-04-22, at two sites on Highway 2 in response to the development of disputed land
- roadblock erected in Deseronto from 2008-04-25 to 2008-04-28,

The number of protesters occupying the Thurlow Aggregates Quarry also increased during this time. (U)

The MQB have received support from their allied communities, including the Mohawks of Akwesasne and Six Nations of the Grand River, both which staged protests including roadblocks or attempted roadblocks in their respective communities in support of the MQB from 2008-04-25 to 2008-04-28. (U)

Protected "A"

Current Status

In April 2008 the MBQ refused the financial settlement offered by the GoC to settle the Culbertson Tract land claim as they are demanding the return of the land to the MBQ, not a financial settlement. Additional negotiations were scheduled between the MBQ and Indian and Northern Affairs Canada, but were subsequently canceled by the MBQ who believe the GoC will not revise its policy. Currently the GoC's policy for resolving historical grievances is only through negotiated settlements. (U)

On 2008-09-23 delivery of a pre-fabricated police station for the Tyendinaga Police was prevented by a blockade erected by protestors from the TMT. Protestors stated that proper consultation was not conducted by the TMT band council before \$900K was contributed towards a new police station for their community where 50% of the residents do not have clean drinking water. Installation of the police station was again stopped due to protestors on 2008-10-29. (U)

In December 2008 community members of the TMT launched two separate civil action suits against the TMT band council. The first is a \$74M lawsuit in relation to a new unlicensed quarry and asphalt plant owned by a local Mohawk businessman which is operating on the reserve. The second is a \$3.3M lawsuit against the TMT band council in relation to the new police station that includes a request for an injunction preventing anything being done with the new police station until further community consultations are conducted. These lawsuits are proceeding through the courts. (U)

Additional CI Details**Rail — Incidents**

In April 2006, about 50 Mohawks used old school buses and bonfires to block a small road near the main CN track in Marysville, ON as a show of support for SNGR protesters occupying a disputed tract of land in Caledonia, ON. (U)

On 2007-04-21, several dozen Mohawks from Tyendinaga used old school buses and bonfires to block a small road near the main CN track in a reported show of support for the Caledonia, ON cause.

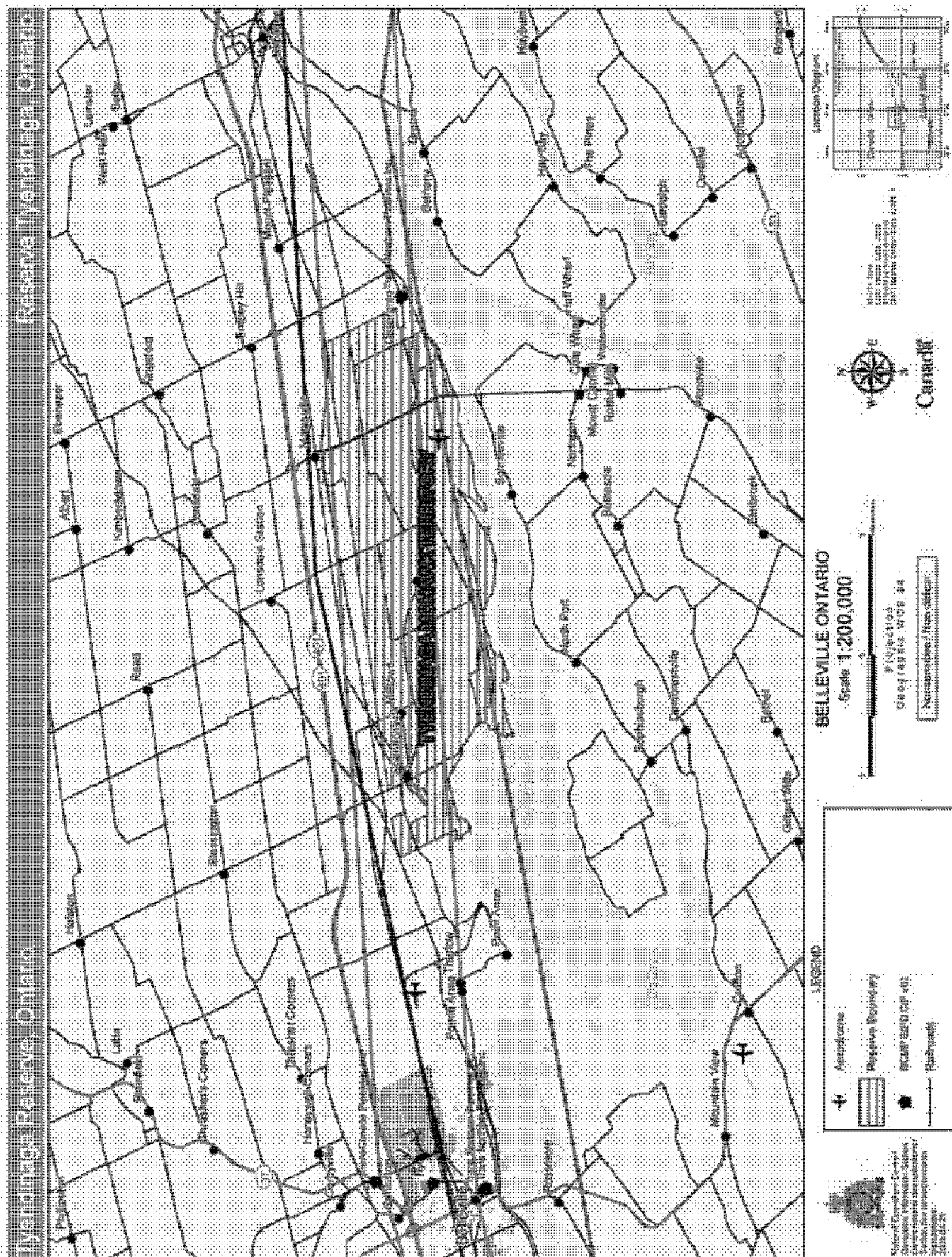
On 2007-06-29, CN halted its freight operations and embargoed all traffic on one of its major rail lines after hearing Mohawk protesters had erected a blockade along the Toronto-Montreal line. Following these actions, commentary on *Mohawk Nation News* read: "Now we know how to close down the colonial operation. We just have to say we're going to do it, and they do it themselves." (U)

Protected "A"

Outlook

With the Culbertson Tract land claim negotiations stalled

protestors will continue to use militant actions in response to the ongoing issues in the community. Although the two lawsuits launched in 2008 against the MBQ band council represent a new stage of protest by community members, it is unlikely that these lawsuits will prevent future protest actions including roadblocks and other disruptions. (A)



Protected "A"**MANITOBA****Peguis First Nation****Reserve Name**

- Peguis 1B (30,001ha)
- Peguis 1C (395ha)
- Peguis 1D (1ha)
- Peguis 1E (31ha)
- Peguis 1F (44ha)
- Peguis 1G (105ha)
- Peguis 1H (19ha)
- Peguis 1I (3ha)
- St. Peters Fishing Station 1A (52ha)

Band Name

Peguis

Neighbouring Communities

- Fisher Branch, MB (28km south of Peguis 1B)
- Winnipeg, MB (180km south of Peguis 1B)

Police of Jurisdiction

RCMP — Fisher Branch Detachment

Population

- 8484
- (3615 on-reserve or on crown land and off 4869 reserve)

Chief

Glenn HUDSON

- appointed on 2009-03-25 with an end date of 2011-03-24

Issues

- Three oil pipelines through southwestern Manitoba (one built by TransCanada, and two built by Enbridge) (U)
- St. Peters Reserve Land Surrender Settlement (U)
- Fisher River Floods (U)

Background**Oil Pipelines:**

Peguis First Nation along with six other bands, are signatories to the 1871 Treaty One land agreement. The Treaty One First Nations have delayed at least three major construction projects in Manitoba. These projects include three oil pipelines, Manitoba's wind farm project, and the government's plan to sell Kapyong Barracks. The bands are demanding a share of project revenues or the land itself as payment for outstanding land claims. (U)

Land Surrender Settlement:

To date, concerned citizens of the Peguis First Nation have held multiple protests in reaction to leadership issues and the currently unsettled St. Peters Reserve Land Surrender Settlement. (A)

In late January 2009, a referendum was held regarding land surrendered by the community almost a century ago. The government's land settlement proposal stipulates that band members give up any claim to the former St. Peter's Reserve. If approved, the overall cash settlement would be worth more than \$126 million dollars. The vote was rendered invalid because not enough band members participated. (U)

The referendum occurred during the course of a band election.

Fisher River Flood:

Peguis First Nations experiences annual flooding from the Fisher River, causing significant damage to the reserve. 2008 spring flooding caused an estimated \$1.3 million in damages. Chief Hudson has criticized INAC for being slow to release funds necessary to repair damage. (U)

Current Status**Oil Pipelines:**

Court challenges filed by Treaty One First Nations have yet to be resolved and despite efforts, all three construction projects are ongoing. (U)

Protected "A"

Land Surrender Settlement:

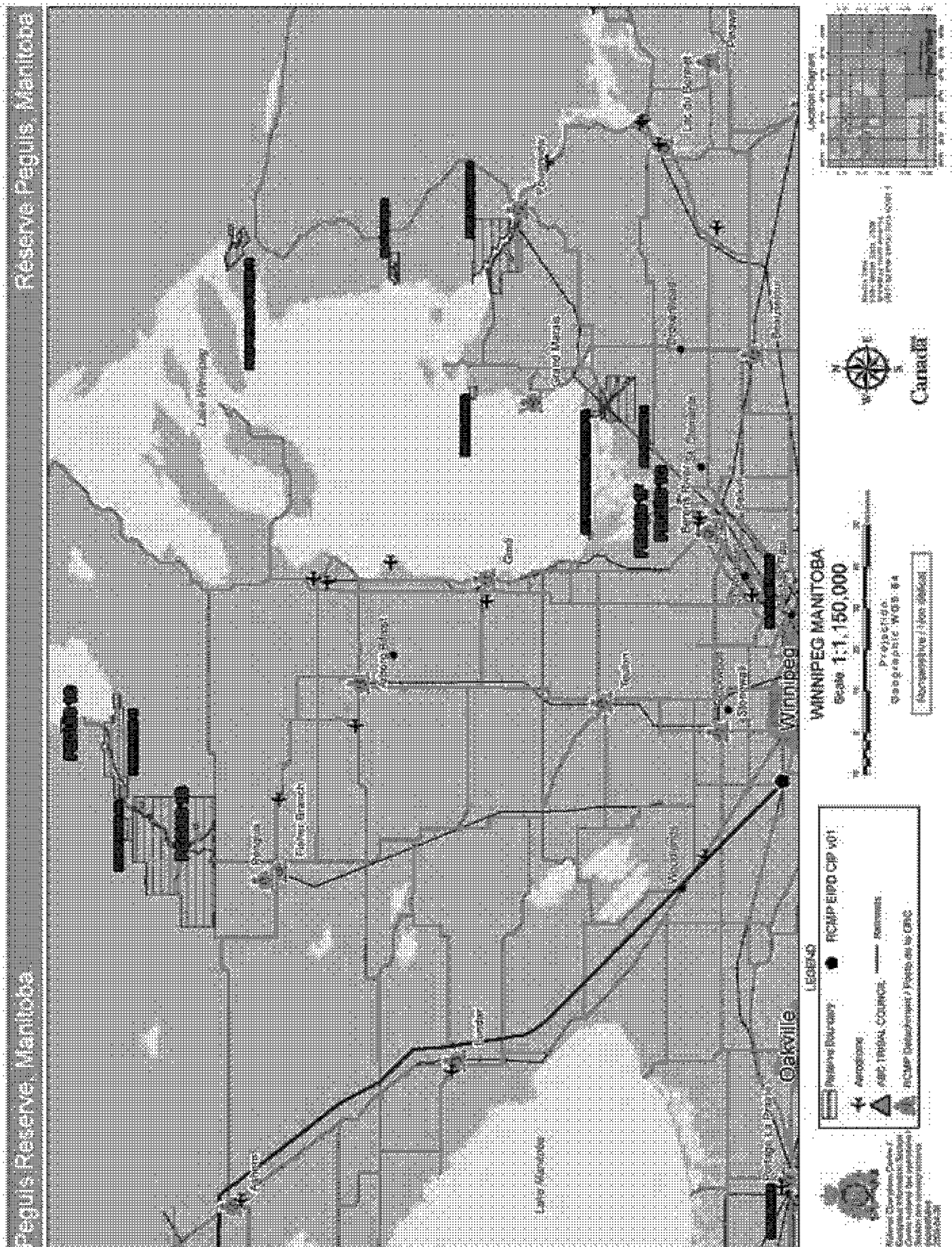
On 2009-03-19, Glenn Hudson was re-elected as Chief of the Peguis First Nation. Chief Hudson plans to hold another vote on the Land Surrender Settlement in July 2009. (U)

Fisher River Flood:

On 2009-04-17, Peguis First Nation Council declared a state of emergency due to the spring flooding of homes, roads and buildings. Peguis Council is collaborating with the provincial and federal governments to address the issue. (U)

Outlook

Given the number of unresolved issues facing this community, it is likely that Peguis First Nation will participate in additional protests. (A)



Pimicikamak First Nation (also known as Cross Lake First Nation)

Reserve Name

- Cross Lake 19 (80km north of Lake Winnipeg; 2037ha)
- Cross Lake 19A (598ha)
- Cross Lake 19B (741ha)
- Cross Lake 19C (80ha)
- Cross Lake 19D (3971ha)
- Cross Lake 19E (760ha)
- Cross Lake 19X01 (11ha)
- Cross Lake 19X02 (5ha)
- Cross Lake 19X03 (68ha)
- Cross Lake 19X05 (21ha)
- Cross Lake 19X06 (10ha)
- Whiskey Jack (5ha)

Band Name

Cross Lake First Nation

Neighbouring Communities

- Wabowden, MB (150km north-east of Cross Lake 19)
- Thompson, MB (260km north of Cross Lake 19)
- Winnipeg, MB (770km south of Cross Lake 19)

Police of Jurisdiction

RCMP – Cross Lake Detachment

Population

- 7051
- (5152 on-reserve or on crown land and 1899 off-reserve)

Chief

Alex ROBINSON

- appointed on 2008-09-04 with an end date of 2012-09-03

Issues

Dispute with Manitoba Hydro related to the delayed implementation of the Northern Flood Agreement (NFA). (U)

Background

The Pimicikamak First Nation is one of five First Nations that were affected by flooding caused by the building of a massive hydro dam in the early 1970's. The NFA was created in 1977 amongst the federal and provincial governments, Manitoba Hydro and the five Aboriginal communities to provide compensation to the affected First Nations. Implementation of the NFA has been met with delays however. (U)

In 1998 as a result of this delay, Pimicikamak First Nation started to withhold hydro payments under the community's Hydro Payment Law that established a fund to hold residents' monthly payments. This amount was to be counted against Manitoba Hydro's debt to Pimicikamak. (U)

After a number of law suits and the band's rejection of three implementation proposals, members of the Pimicikamak First Nation set up an encampment at the Jenpeg hydroelectric on 2007-04-12. The encampment was a protest against the long delay in implementing the NFA. The protesters also threatened to block the nearby Highway 6, the only paved road between northern and southern Manitoba. (U)

On 2008-04-07, approximately 1

from opening a community information office for the Northern Flood Agreement (NFA). (U)

Current Status

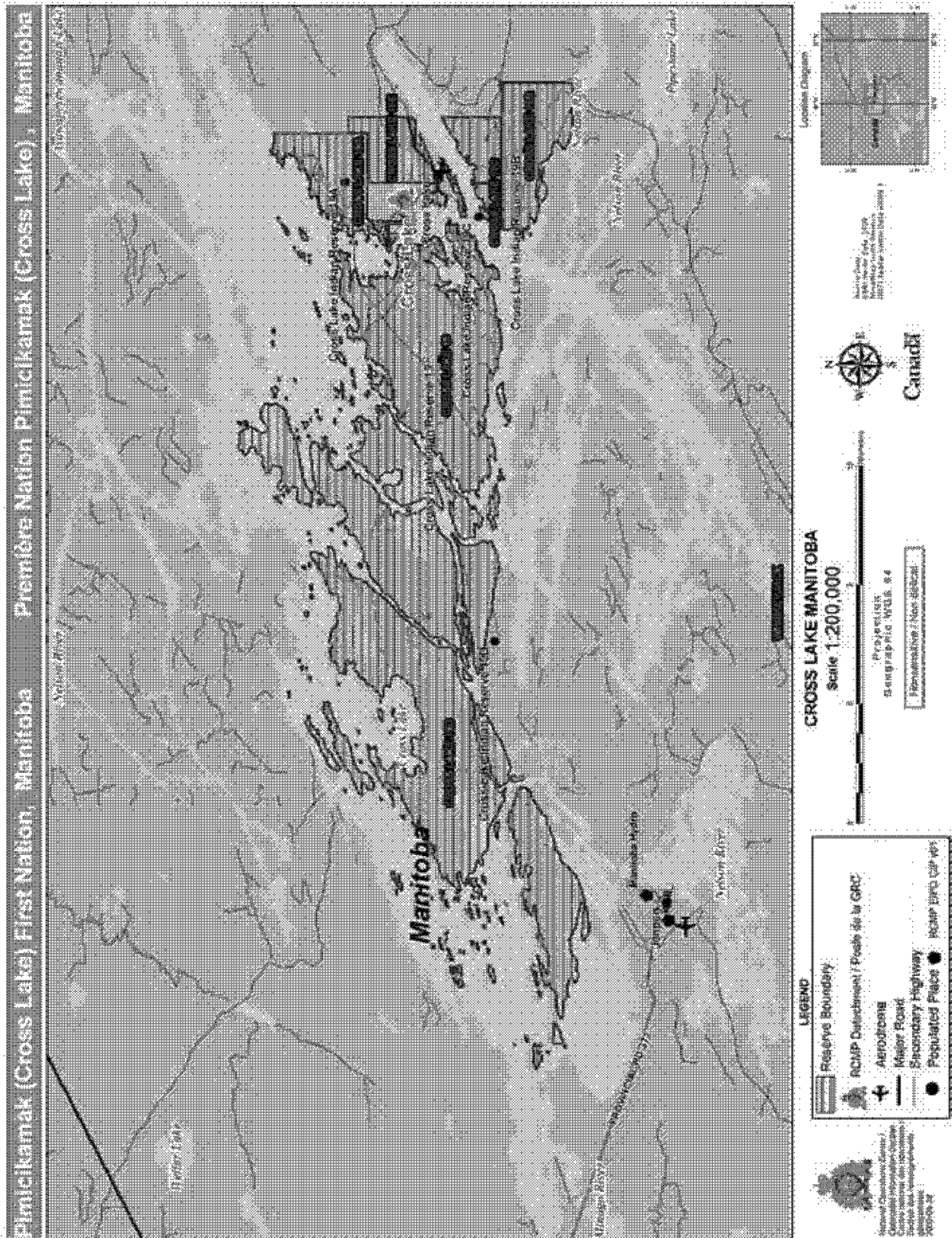
The issue remains unresolved. (U)

Protected "A"***Outlook***

Tension between Pimicikamak First Nation and Manitoba Hydro will continue to increase as the implementation of the NFA continues to be delayed. It appears that Pimicikamak is using the withheld hydro payments to bargain for the implementation of the NFA. However, given the broad nature of the 1977 agreement, and the rejection of the more specific agreements signed by the other affected communities in 1992, negotiations regarding the terms of an NFA settlement will not be resolved in the short term. (A)

Pimicikamak First Nation has called on outside parties in the past, including the Mennonite Central Committee to advocate on their behalf. If Manitoba Hydro does not agree to honour the NFA according to Pimicikamak's demands, the community could call on other stakeholders to push their agenda. (U)

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Aboriginal Communities Issues, Events and Concerns — 2009/10 — Protected "A"

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Protected "A"**Roseau River First Nation****Reserve Name**

- Roseau River 2 (2224ha)
- Roseau Rapids 2A (323ha)
- Roseau River 2B (30ha)

Band Name

Roseau River Anishinabe First Nation Government

Neighbouring Community

Winnipeg, MB (80km north of Roseau River 2)

Police of Jurisdiction

Dakota Ojibway Police Service

Population

- 2210
- (1143 on-reserve or on crown land and 1067 off-reserve)

Chief**Issues**

- Three oil pipelines through southwestern Manitoba (one built by TransCanada, and two built by Enbridge). (U)
- Manitoba Wind Farm Project (U)
- Federal government's plan to sell Kapyong Barracks, to a property development company. (U)
- Dispute over March 2009 elections. (U)

Background

Roseau River First Nation and six other bands are signatories to the 1871 Treaty One land agreement. The Treaty One First Nations have delayed at least three major construction projects in Manitoba. These projects include three oil pipelines, Manitoba's wind farm project, and the government's plan to sell Kapyong Barracks. The bands are demanding a share of project revenues or the land itself as payment for outstanding land claims. (U)

On 2008-02-08, Roseau River First Nation, along with six other Manitoba bands filed an appeal asking the courts to nullify plans to construct an oil pipeline, stating that the government failed to consult with the First Nations or offer compensation. (U)

Treaty One First Nations are asking federal court to decide whether the government failed in its duty to consult them, and if so, what should become of federal approval for TransCanada's Keystone pipeline, and Enbridge's Alberta Clipper and Southern Access lines, all of which are in various stages of completion.

Treaty One First Nations are also threatening to tie up Manitoba's wind farm project in court. The seven bands claim that the project will be located on their traditional territory which entitles them to revenues from the \$800-million dollar deal. (U)

In January 2008, Treaty One First Nations requested a judicial review of the Federal government's plan to sell the Kapyong Barracks to a company that develops properties. The Kapyong Barracks is a vacant military base that the Roseau River community had been negotiating for since 2004. (U)

March 2009 Elections:

On 2009-03-02, two separate votes were held by the Roseau River First Nation to elect the community's Chief. The separate votes resulted in the election of two Chiefs, Terry NELSON and Felix ANTOINE. (U)

Current Status

Court challenges filed by Treaty One First Nations have yet to be resolved and despite efforts, all three construction projects are ongoing. (U)

March 2009 Elections:

NELSON and ANTOINE have asked the Federal government to intervene in the election results. However,

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the community is responsible for establishing its own leadership selection process and according recent to media reporting, INAC has no plans to become involved. (U)

Critical Infrastructure

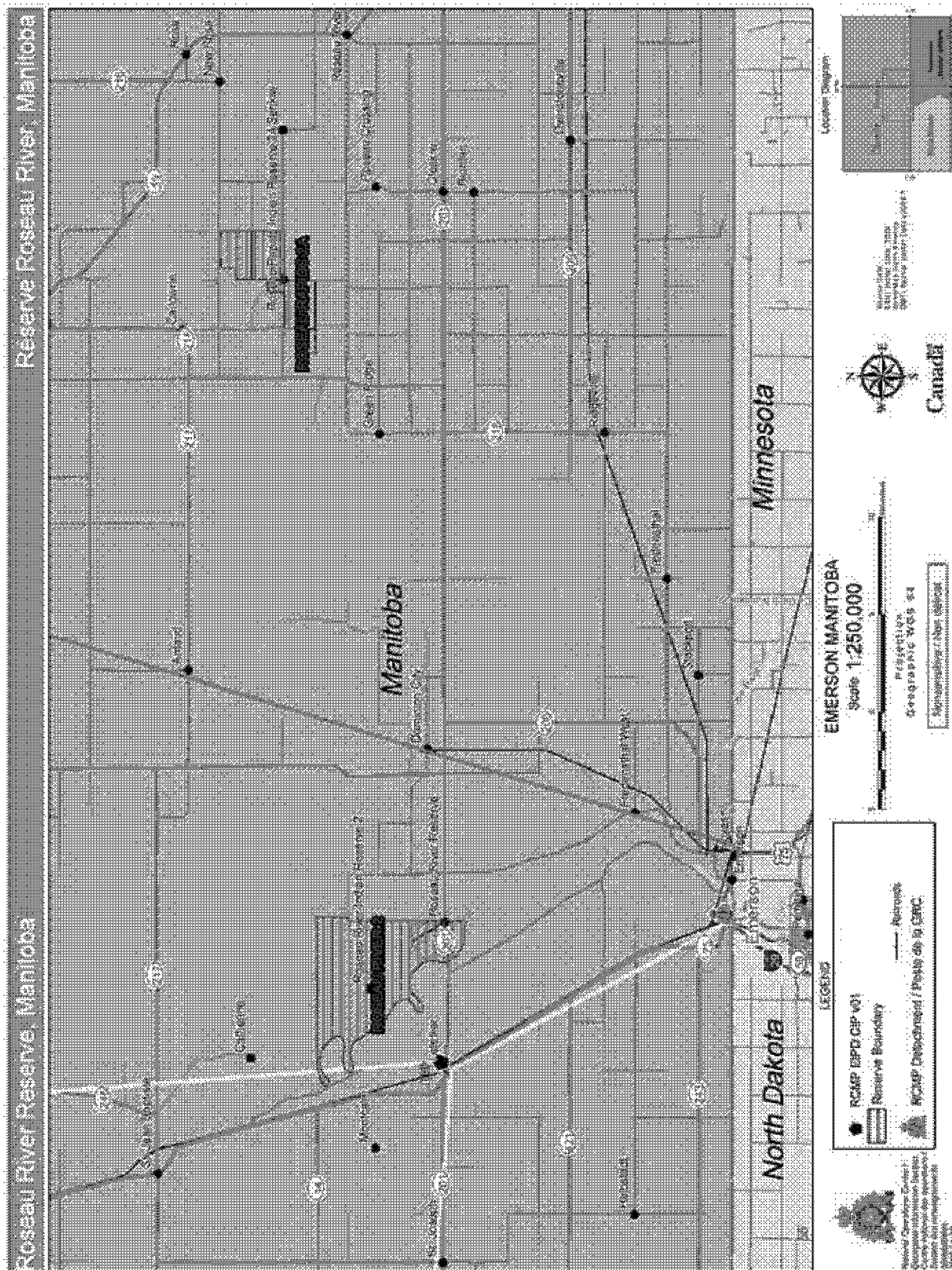
Additional CI Details

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Outlook

On 2007-06-29, band members marched to the rail line linking Winnipeg to North Dakota and remained on-hand for eight hours. (U)

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Protected "A"**SASKATCHEWAN****Red Pheasant First Nation**

Reserve Name

Red Pheasant 108 (25,243ha)

Band Name

Red Pheasant

Neighbouring Community

North Battleford, SK (33km north of Red Pheasant 108)

Police of Jurisdiction

RCMP — North Battleford Detachment

Population

- 2102
- (767 on-reserve or on crown land and 1335 off-reserve)

Chief

Sheldon WUTTUNEE

- appointed on 2008-03-08 with an end date of 2010-03-07

Issues

Enbridge Alberta Clipper pipeline (U)

Background

Enbridges' Alberta Clipper pipeline has been the subject of a number of demonstrations and blockades by Treaty Four and Treaty Six First Nations. Red Pheasant First Nation, part of Treaty Six, has participated in protests over concerns of environmental threats and lack of employment opportunities. (U)

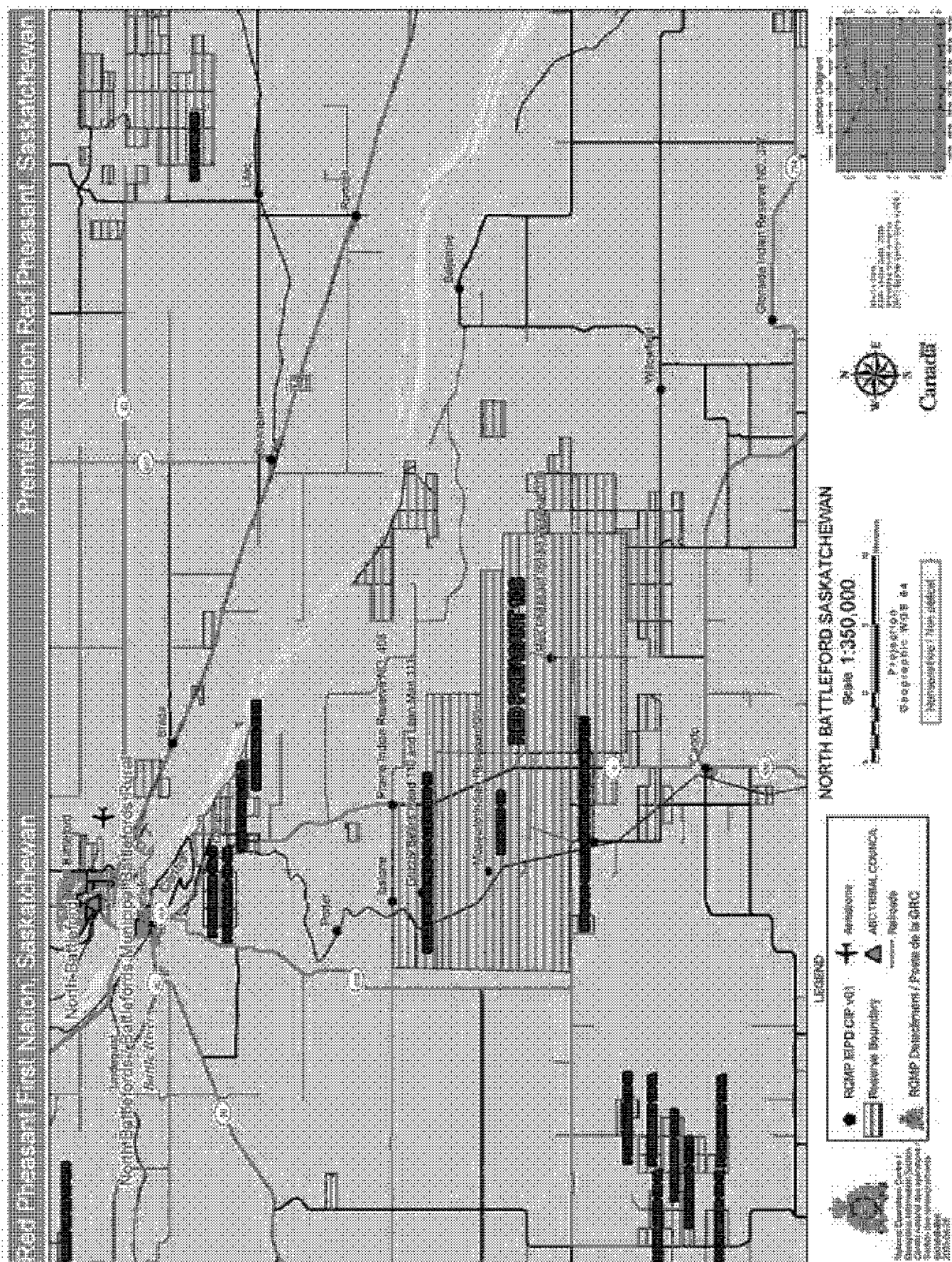
On 2008-10-03, after a four day blockade of an Enbridge construction project, an interim agreement was reached between Enbridge and both Treaty Four and Treaty Six First Nations. (U)

Current Status

On 2009-04-09, information was received that Red Pheasant Chief Sheldon Wuttunee signed an agreement with Enbridge Pipeline that no interference with construction will occur in exchange for employment and training opportunities. (A)

Critical Infrastructure**Outlook**

Red Pheasant First Nation participated in the National Day of Political Action on 2008-09-29, which resulted in blockades and disruption of an Enbridge construction project. (U)



Protected "A"**ALBERTA****Community of Fort Chipewyan**

Reserve Name

- Chipewyan 201 (20,072ha)
- Chipewyan 201A (22ha)
- Chipewyan 201B (19ha)
- Chipewyan 201C (18ha)
- Chipewyan 201D (4ha)
- Chipewyan 201E (97ha)
- Chipewyan 201F (66ha)
- Chipewyan 201G (905ha)

Band Name

Athabasca Chipewyan First Nation (ACFN)

Neighbouring Community

Fort Chipewyan, AB

Police of Jurisdiction

RCMP — Fort Chipewyan Detachment

Population

- 879
- (239 on-reserve or crown land and 640 off-reserve)

Chief

Allan (Yiyo) ADAM

- elected 2007-10-13 with an end date of 2011-10-30

Issues

- Dispute with province of Alberta over tar and oil sand development. (U)
- Health concerns possibly related to the environmental impact of tar and oil sand development projects. (U)

Background**Tar and Oil Sand Development:**

The First Nation Community of Fort Chipewyan, which includes the ACFN, and the Chipewyan Prairie Dene First Nation, has filed legal action against the province of Alberta over tar and oil sand development in the past year. The ACFN initiated legal action in December 2008, against the government of Alberta for failing to fulfill its duty to consult the band prior to selling oil sands permits to Shell Canada and other companies on traditional land. The Chipewyan Prairie Dene First Nation filed a lawsuit against the Alberta government over tar sands in June 2008. (U)

The Prairie Dene are alleging a breach of Alberta's constitutional duty to consult with the First Nation on MEG Energy Corp.'s Christina Lake Regional Project, Phase 3. This Project is planned to be located in the heart of their claimed traditional territory. (U)

Health Concerns:

The Community of Fort Chipewyan is located near the Athabasca River, which is downstream from Alberta's oil sands. The community is concerned that the oil sands projects are contributing to health issues such as high cancer rates and immune diseases in Fort Chipewyan. (U)

Alberta Health conducted a study in 2006 but later reported the study used incomplete data to conduct the analysis. Responding to growing criticism of the study, Alberta Health released another study in February 2009, with results indicating a higher than expected cancer rate in Fort Chipewyan and that the high incidences of some cancers warrant further examination. (U)

Current Status

The issues outlined above are ongoing and it is expected that legal action taken against the province of Alberta could take several years to be resolved. (U)

Protected "A"***Outlook***

The Community of Fort Chipewyan appears to be focusing its efforts on exploring legal options rather than direct action to resolve ongoing issues. (A)

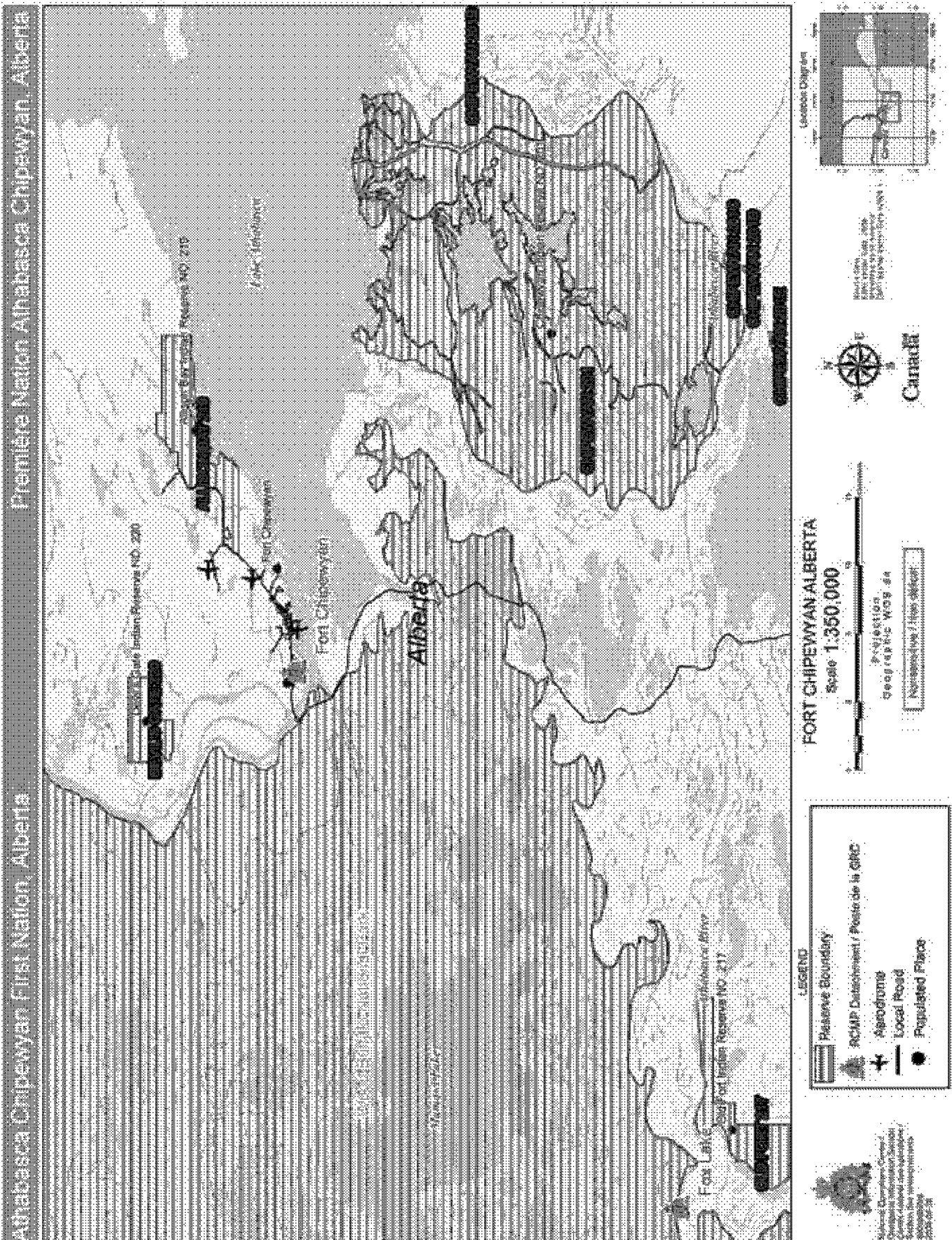
Associated Groups

- Greenpeace (A)
- Indigenous Environmental Network (IEN) (A)
- Oilsands Truth (A)

Strategic Considerations

Oilsands Truth and the IEN co-presented a conference in November 2008. The conference, Everyone's Downstream II: Stop Playing Games with Our Lives was designed to explore links between the 2010 Olympics and tar sand development. (U)

Protected "A"



Aboriginal Communities Issues, Events and Concerns — 2009/10 — Protected "A"

Protected "A"

Lubicon Lake Indian Nation**Reserve Name**

Little Buffalo Indian Settlement (Not a reserve)

Band Name

Lubicon Lake Indian Nation

Neighbouring Community

Peace River, AB (100km south-west of Little Buffalo Indian Settlement)

Police of Jurisdiction

RCMP- Peace River Detachment

Population

Approximately 500

Chief

Bernard OMINAYAK

Issues

Ongoing dispute with TransCanada Pipelines over the North Central Corridor (NCC) pipeline project. (U)

Background

TransCanada Pipelines has encountered resistance from Lubicon First Nation over the company's intention to build a 300 km NCC pipeline across Alberta. (U)

Pipeline construction is planned to be completed in two stages by April 2010. (A)

The issue concerns an unresolved jurisdictional dispute between the Lubicon people and the federal and provincial governments. The proposed pipeline will cross through the disputed territory, and Lubicon has publicly stated that the project will not proceed until their land rights have been respected. (U)

Tensions between Lubicon and TransCanada resulted in a blockade in November 2008. The blockade was later removed the same day.

To date however, the Lubicon have mainly focused their attention on exerting political pressure to have their issues addressed. (A)

Current Status

The dispute between the Lubicon and TransCanada Pipelines is ongoing. (A)

Outlook

Protected "A"**Woodland Cree First Nation****Reserve Name**

- Woodland Cree 226 (11,660ha)
- Woodland Cree 228 (3786ha)
- Woodland Cree 227 (660ha)
- Cadotte Lake Indian Settlement

Band Name

Woodland Cree First Nation

Neighbouring Community

Peace River, AB (48km south-west of Woodland Cree 226 and 60km south-west of Woodland Cree 227)

Police of Jurisdiction

RCMP — Peace River Detachment

Population

- 971
- (732 on-reserve or on crown land and 239 off-reserve)

Chief

William WHITEHEAD

- appointed on 2006-10-21 with an end date of 2009-10-19

Issues

- Penn West Energy Trust development project (U)
- Expansion of Shell's facility and environmental impact (U)

Background

The Woodland Cree First Nation (WCFN) traditional territory is located near Peace River, Alberta's third-largest oil sands deposit margin. (U)

Penn West Energy Trust, an oil and gas producing company, has been attempting to develop on land that the WCFN claim to be their territory. (A)

Tensions have resulted in WCFN members ordering Penn West workers off site, as well as minor roadblocks that disrupt and prevent development operations. To date, WCFN roadblocks have not affected regular traffic. (A)

This dispute largely stems from a disagreement between the WCFN and Duncan First Nation over employment rights relating to the Penn West development project.

When problems first began between Penn West and the WCFN, an agreement was made that the WCFN would share fifty percent of the employment opportunities presented by the project with Duncan First Nation.

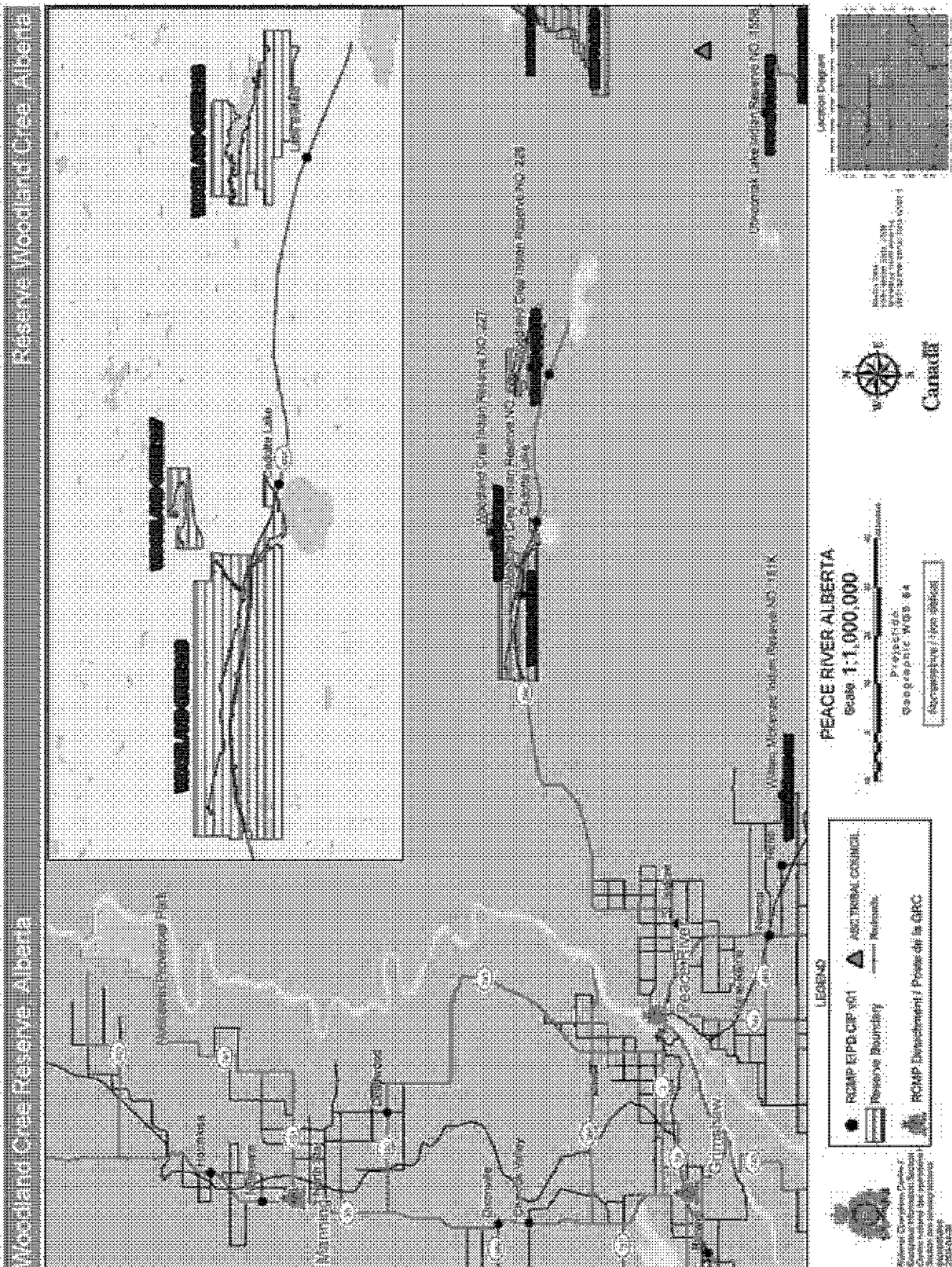
Tensions have been as a result of Shell Canada's Carmon Creek project. In December 2006, Shell Canada filed an application with the Alberta Energy and Utilities Board for an eightfold expansion of its existing Carmon Creek facilities. According to Shell's Environmental Impact Study filed with its application, this project may affect an area of 522 square miles. The WCFN claim it was not consulted about Shell's expansion project and on 2007-06-25, filed a request for intervention with the EUB. (U)

Current Status

To date, negotiations between Penn West Energy Trust and the WCFN have been unsuccessful. The ongoing dispute has resulted in periodic roadblocks. On 2009-01-05 Penn West suspended its development activities but began work again on 2009-02-17. (A)

In December 2006, Shell submitted a regulatory application for the Carmon Creek Project. After further engineering work resulted in changes to the application, Shell elected to withdraw the application in November 2008 with the intention of preparing and submitting a new regulatory application. Shell is aiming to submit the new Carmon Creek application by the end of 2009. (U)

Outlook



Protected "A"

CRITICAL INFRASTRUCTURE IN PROXIMITY TO ABORIGINAL COMMUNITIES OF CONCERN BY PROVINCE (ANNEX B)

NEWFOUNDLAND AND LABRADOR

NOVA SCOTIA

Protected "A"

QUEBEC

Kanesatake

Kahnawake

Protected "A"**ONTARIO*****Aamjiwnaang***

Rail — Incidents

On 2007-06-29, some 50 people blocked a CN rail line near Sarnia in southwest Ontario. (U)

Akwesasne

Bridges / Border Crossings — Incidents

In 2007, the decision to arm CBSA personnel at the Akwesasne Port of Entry was a source of conflict, particularly with the Akwesasne Mohawks. (U)

Algonquins of Pikwakanagan

Manitoulin Island and the North Shore - Anishinaabe of Wauzhushk Onigum

Rail — Incidents

On 2007-06-29, Manitoulin Island and North Shore Natives reportedly blocked Highway 17 at the Highway 6 turnoff to Espanola for an hour. Two hundred people later gathered on Highway 17 at the Serpent River reserve in Cutler and stopped eastbound traffic completely. A vehicle was reportedly parked on railroad tracks, blocking the Huron Central Railway, which runs between Sault Ste. Marie and Sudbury. (U)

Six Nations of the Grand River

Rail — Incidents

In September and October 2008, CP's Spirit Train made its way from Port Moody, B.C. to Montreal, Quebec, with stops at major urban centres along the way. The overall goal was to promote the Olympics. (U)

At several stops, the Spirit Train was met by anti-2010 Olympic protesters, including one group called Anti-War at Laurier (AW@L). AW@L refers to itself as a "direct action" group that "stands in solidarity with local Indigenous groups fighting against colonialism and oppression". (U)

On 2008-10-12, AW@L held a rail blockade north of Toronto. The group alleges in a press release that members of Six Nations in Caledonia attended the blockade. In the month previous to this blockade, AW@L says its members and the newly formed Native Youth Movement chapter, NYM-6 Nations took part in joint protests related to the Brantford land dispute. These protests resulted in the arrest of several NYM-6 Nations members,

Protected "A"

During the 2008-10-12 rail blockade, the group hung a Six Nations' flag and a banner that read "NO OLYMPICS ON STOLEN NATIVE LAND" from a rail overpass. The group remained on the overpass for approximately three hours.

A few hours after the group disbanded from the 2008-10-12 blockade, an act of vandalism was committed against CP property in close proximity to the blockade site.

On 2008-10-21, an anonymous anti-2010 Olympic entry entitled "Attack on CP Rail!" appeared on the www.infoshop.org which claimed responsibility for the act. In the communiqué, the author uses anti-colonial and anarchist language, saying: "Every ride on the rails is a ride for the same invasion that's been going (sic) on since the railway was built to colonize this whole place." The author indicates that "we're not interested in expressing our dissatisfaction at a symbolic part of the problem. We want to actually dismantle the whole system". The author adds: "It's not just the Spirit Train; it's every train, the tracks and the social structure they maintain!" (U)

Previous rail-related incidents taking place in Caledonia itself include the burning of a rail bridge in 2006-04-20. (U)

Electricity — Incidents

Six Nations of the Grand River First Nations oppose any development within the disputed Haldimand Tract (awarded by the British Crown in 1784 to the Six Nations), and a portion of this tract near Caledonia, ON serves as the basis for ongoing disputes.

Other

An unconfirmed posting on the Wiinimkiikaa blog (<http://wiinimkiikaa.wordpress.com>) states that, on 2007-06-29, 15 masked and camouflaged individuals blocked the Seventh Line bridge over the Highway 6 bypass. Six Nations Reserve Police reportedly said they were able to clear the bridge and the masked group left and returned to the reclamation site in Caledonia. (U)

Protected "A"

Tyendinaga

Rail — Incidents

In April 2006, about 50 Mohawks used old school buses and bonfires to blocked a small road near the main CN track in Marysville as a show of support for Six nations protesters occupying a disputed tract of land in Caledonia, ON (U)

On 2007-04-21, several dozen Mohawks from Tyendinaga used old school buses and bonfires to block a small road near the main CN track in a reported show of support for the Caledonia, ON cause.

More than 20 hours later, the protesters agreed to dismantle the blockade after CN obtained a court injunction.

Liberterre, No One Is Illegal Montreal, Tadamon! Montreal, LaPointe Montreal and others.

The statement carried the moniker "When justice fails, block the rails!", which is the same moniker used in the 2007 YouTube video posted by the Rail Ties Collective. (U)

On 2007-08-14, CP staff discovered an automobile jumper cable set stretched between the rails at mile 157.48, Belleville Subdivision, just east of the crossing at Highway 2 and Farrow Ave. in Newcastle.

On 2009-03-29, the Montreal Tyendinaga Support Committee issued a release that appeared on <http://intercontinentalcry.org> with the headline: "CN: Drop your racist lawsuit!".

On 2007-06-01, a coalition of left-wing and indigenous groups held an "anti-Canada Day" picket and demonstration at Montreal's Gare Centrale in support of the Tyendinaga protesters and to demand CN drop its lawsuit. The statement issued for this event appeared on <http://friendsofgrassynarrows.com> and was endorsed and organized by Block the Empire-Montreal (BLEM), Indigenous Peoples Solidarity Movement (IPSM),

Protected "A"

MANITOBA

Mathias Colomb & Barren Lends

Pimicikamak First Nation (aka Cross Lake First Nation)

Roseau River First Nation

Protected "A"

In 2006,

According to www.firstperspective.ca demonstrators instead held rallies at the two locations where the blockades would have occurred: Roseau River First Nation and Birdtail Sioux First Nation. At Roseau, speeches and drumming preceded a four-kilometre walk from the band's town site to the off-reserve community of Letellier, where several dozen people blocked the railway track leading to North Dakota. The blockade was symbolic. It lasted one hour and no trains came along during that time. (U)

Protected "A"

SASKATCHEWAN

Alberta Clipper Pipeline

(Additional details under the Alberta summary)

On 2007-06-29, band members marched to the rail line linking Winnipeg to North Dakota and remained on-hand for eight hours. (U)

In 2007-06-05, a media report quoted

Representatives from Treaty 4 are participating in ongoing negotiations with Enbridge concerning the Alberta Clipper Pipeline. The main issues they want addressed by Enbridge are the encroachment on native lands, lack of adherence to the duty to consult, and the creation of full time jobs for First Nations people. Representatives from Carry the Kettle, Kiniston, Ochapawace, Cowessess, Muskowaken, Little Black Bear, Gordon, and Muscowpetung met on 2009-04-25/26 to discuss ongoing negotiations. This group has apparently been drafting a proposal to submit to Enbridge in May 2009.

Buffalo River Dene Nation

Protected "A"***Montreal Lake***

SaskEnergy/TransGas Limited has had a significant number of aboriginal employees as well as a full-time Manager of Aboriginal Relations, who is also aboriginal. At this point in time, SaskEnergy/TransGas is well-respected by the aboriginal community and they have a good working relationship. They believe that the relationship and the mutual respect that has been demonstrated has contributed a great deal to the low number of issues to be reported. (A)

Peter Ballantyne Cree Nation

ALBERTA***Alberta Clipper Project***

Incidents

Throughout the project, Enbridge officials have been negotiating with various First Nations communities to ensure continued operations.

There are several First Nations groups with an interest in the Enbridge Alberta Clipper Project. A meeting held at Enoch Casino (Alberta) in 2007, chaired by the Red Pheasant First Nations, and was attended by the Alexander (Alberta) First Nations and members of the Hobbema, Alberta community. A second meeting also discussing the Enbridge project was held on the same day in Jasper to discuss Enbridge and was attended by the Beaver Lake and Cold Lake First Nations. (A)

Protected "A"

First Nations communities in Saskatchewan setup blockades at two Alberta Enbridge construction yards near White City and Kerrobert between 2008-09-28 and 2008-10-02. Specific communities included the Red Pheasant First Nations, the Carry the Kettle First Nations, and the File Hills Qu'Appelle Tribal Council (Fort Qu'Appelle, Saskatchewan). The groups stated that Enbridge did not live up to promises of employment and contracts during the construction of the Clipper pipeline. (A)

Another demonstration followed on 2008-09-29, near Kerrobert. Organizers were cooperative with members of the RCMP and no confrontations occurred. Negotiations with the group and Enbridge officials ended with an agreement on 2008-10-02 which led to organizers removing the blockades. (A)

In past situations, the First Nations communities in Manitoba have been cooperative in their planned activities and their level of involvement.

Canadian Natural Resources Ltd. Operations

Incidents

In the past three years, three incidents occurred which involved non-Aboriginals, two with local land owners, and one associated to an organized crime group. One incident involved repeated break-ins and thefts by local Aboriginal youth. (A)

Vandalism and thefts have been significantly reduced due to the deployment of a permanent RCMP presence in local Aboriginal communities and increased security at sites. (A)

Community of Fort Chipewyan (including Athabasca Chipewyan First Nation)

Petroleum — Incidents

The ACFN filed notice in the Edmonton Court of Queen's Bench claiming that several oil sands permits that the Alberta Government sold to Shell Canada and other companies are invalid as First Nation's groups were not consulted. The ACFN is asking that the permits be cancelled or that the companies be ordered to stop development until consultation has occurred." (A)

As of 2009-01-08, it appeared that the ACFN were exploring legal options rather than direct action against oil sands companies. (A)

Protected "A"

The development of Alberta oil sands has recently received an elevated profile due to global environmentalist activism portrayed in the main stream media. This is increasing the level of agitation and concern among Métis and First Nations communities in the area of Fort McMurray, particularly in the area around Fort Chipewyan. The risk of independent direct action by environmentalists joined by local Aboriginals motivated by environmentalists is elevated in this environment. (A)

Lubicon Lake Indian Nation

Petroleum — Incidents

While the Lubicon have threatened blockades, the only protest that was launched to date was late in 2008 at the Alberta legislature.

As of 2009-02-17 there have been no issues with the Lubicon Lake First nations. TransCanada has completed most of their brush clearing in the "tear drop" area (claimed by Lubicon Lake as their traditional land). While no agreement has been reached, the Lubicon have not tried to disrupt work, and communication continues via letter exchange. (A)

Woodland Cree First Nation

Petroleum — Incidents

The Woodland Cree First Nation is situated in the middle of the "Seal Region", near Peace River, Alberta's third largest oil sands deposit. (U)

A mutual agreement could not be reached with Penn West Energy Trust over land use, and in 2009, the Woodland Cree protested by setting up several roadblocks. (A)

BRITISH COLUMBIA

Cheam

Rail — Incidents

In August 1993, the band blocked the CN line for five days over a dispute between the band and the Department of Fisheries and Oceans. (U)

In May 2000, the band threatened to block the CN line over a landfill dispute it was having with the then Department of Indian and Northern Development. (U)

In September 2000, the band sent CN a fax demanding over \$300,000 in back taxes for operating through its territory and threatened to shut the railway down if the demand wasn't met. (U)

Neskonlith

Rail — Incidents

On 2004-12-01, the Native Youth Movement — Secwepemc Chapter (NYM-SC) issued a release regarding efforts by CP to construct additional track on Secwepemc land. During construction, CP workers were alleged to have found the remains of this band's elders. The Native Youth Movement accused CN of giving the remains to the Neskonlith Band instead of the proper spiritual people, and they wound up "in a box in the band office". In its appeal for support, the movement urged readers to contact

On 2009-04-01, the NYM — SC issued a statement, saying members would be conducting a roadblock on that day to "demand the halt of the Trans Canada Highway and Canadian Pacific Railway expansion through the highway corridor along the South Thompson River and Shuswap Lakes". According to the statement, the expansion of these two transport systems has contributed to the desecration of our ancestral burial and village sites, as well as, the continued genocide of our Peoples".

Protected "A"

Neskonlith First Nation

Rail — Incidents

In September 2000, according to CPRPS, the band attempted to support the Burnt Church First Nation in New Brunswick regarding lobster fishing by blockading CPR tracks that go through the NESKONLITH No.2 reserve. CPR responded with a lawsuit.

Cheam First Nations have supported the above bands in their protests. Cheam has blockaded CN Rail's tracks. (U)

In September 2000 at Mileage 93.50 Shuswap Sub., a switch was jammed with rocks and rail spikes. (U)

Squamish

Incidents

On 2006-05-26, 23 anti-2010 Olympic protesters were arrested at Eagleridge Bluffs in North Vancouver for blocking the expansion of the Sea-to-Sky Highway.

Protected "A"**ACTIVIST GROUPS (ANNEX C)****Native Youth Movement (NYM)**

Members include:

Associated to:

- Native Youth Movement Warrior Society (U)
- West Coast Warrior Society (U)
- Warrior Society (U)
- No One Is Illegal (U)
- International Native Youth Movement (U)
- St'at'imc Native Youth Movement Warrior Society(U)
- Secwepmec Native Youth Movement Warrior Society (U)
- American Indian Movement (AIM) (U)

Base

British Columbia

Network Scope

National, International

Group Type

Militant

Issues

- First Nations sovereignty (U)
- Land issues (U)
- Anti-colonialism (U)
- Anti-Olympic Games & Olympic Torch Relay (U)
- Development of land on traditional Aboriginal land (U)

Activities and tactics

- National and international speaking tours (U)
- Presentations at conferences (U)
- Protests (U)
- Blockades (U)
- Camps and occupations (U)
- Internet, Facebook, YouTube, MySpace, Blogs (U)

Profile

Established in 1995 by AIM activists in Vancouver, BC and followers of "red power" traditions, tactics and philosophies. It claims to be an all-Native "urban-based youth organization". Members often wear camouflage, masks and carry the Mohawk warrior flag at protests and blockades. (U)

This group claims to be a "warrior society" and defenders of land, water, peoples and life. They also state their primary fight is for land and freedom, and they will do whatever it takes to attain these goals. (A)

Previous direct actions include participating in the 1999 salmon fishery protest in Cheam, BC, the 2001 Sun Peaks Ski Resort protest in BC, and the Six Nations road blockades in May 2006. (U)

In 2008,

speaking tour in Canada and the USA.

The tour promoted resistance to the V2010 Games, and unity in the struggles for "Land, Freedom and Life and Survival." (U)

**Pages 81 to / à 82
are withheld pursuant to sections
sont retenues en vertu des articles**

**of the Access to Information Act
de la Loi sur l'accès à l'information**

ISSUES THAT CONTRIBUTE TO UNREST IN ABORIGINAL COMMUNITIES — ADDITIONAL INFORMATION (ANNEX E)

Federal Legislation

Specific Claims Tribunal Act

The Specific Claims Tribunal Act, which was enacted on 2008-10-16, creates an independent tribunal with binding powers to resolve specific claims that have been rejected for negotiation, or the negotiations have failed, or three years of unsuccessful negotiations has passed. In addition to the new legislation, INAC and the AFN have committed to a Political Agreement to address numerous outstanding issues that could not be solved via legislation. These issues include: transition issues, funding and resources and the reacquisition of land and additions to reserves. (U)

Issues that may arise from these new commitments include: concerns related to the \$150M limit on financial awards; the allocation of funds and resources to support the new legislation; and resolution of the reacquisition of land and additions to reserves issue, as currently only financial compensation are offered to settle land claims. (A)

Matrimonial Real Property

Matrimonial real property is defined as property owned by one or both spouses and used for a family purpose, including land and anything permanently attached to the land, such as a home. (U)

In Canada, most couples who experience a breakdown of their marriage or common-law relationship, or the death of a spouse are subject to protections that govern the division of matrimonial real property. These protections however, do not apply to couples living in communities governed by the *Indian Act*. The *Family Homes on Reserves and Matrimonial Interests or Rights Act* is proposed legislation that was created to address the issue of matrimonial real property on reserves. Although consultations were undertaken as part of the development of the *Act*, both the AFN and the NWAC state that the GoC did not sufficiently consult or accommodate the views of Aboriginal people. There remain several outstanding concerns regarding the proposed legislation and the AFN and NWAC believe that the legislation cannot be fixed and should be abandoned completely. (U)

The key issues related to the proposed legislation, if it should become law, is that it will not address the real issues faced by some Aboriginal families and will force families into provincial courts which is expensive and often requires long waiting periods. In addition, although Aboriginal communities will be provided the opportunity to keep or create their own laws to address the issue of matrimonial real property, the validation or creation of these laws will require confirmation by a process set out in the proposed legislation. There exists serious concerns that the strict parameters set out in the confirmation process will not allow Aboriginal laws that reflect traditional laws, cultures and the realities of many Aboriginal communities.



Protected "A"

These realities include geographic remoteness, lack of easy access to the court system, overcrowding and lack of access to emergency shelters. (U)

Additional concerns include the lack of a planned transition period, lack of support for Aboriginal capacity building and development and the serious concern that the proposed legislation may impact Aboriginal collective rights, Aboriginal title, and treaty rights. (U)

If the proposed legislation becomes law, the AFN and NWAC believe that it will not provide a solution or result in positive outcomes for Aboriginal families.

Court Decisions

Haida and Taku Supreme Court of Canada Decisions

The SCC decisions related to the *Haida Nation v. British Columbia* and in *Ringstad v. Taku River Tlingit* in 2004 addressed the requirements of provinces and industry regarding consultation with First Nations groups who claim rights to land, but whose claims have yet to be proven in court. (U)

The SCC decisions established the duty to consult and in certain circumstances, accommodate, as the responsibility of the province in circumstances where the First Nations claims to the land has yet to be proven in court. The SCC rulings state that the consultation must be meaningful; however there is no duty to reach agreement. The SCC also established that although third parties have no duty to consult or accommodate First Nations, third parties can be liable to First Nations if third parties act negligently or breach contacts. (U)

Duty to consult remains an ongoing issue in many First Nations communities, particularly for energy sector projects in western Canada. It is an issue exasperated by various and conflicting interpretations of the duty to consult requirements. (A)

Sharron MacIvor and the British Columbia Court of Appeal Decision

Sharron MacIvor, has worked for over 20 years to ensure that her children and grandchildren are recognized as Status Indians. Her challenge has focused on the *Indian Act* and its 1985 revision which have been argued to be discriminatory against Aboriginal women who married non-Aboriginal men, as well as their children. (U)

On 2009-04-09, the British Columbia Court of Appeal ruled the action of denying Indian status to the grandchildren of some Aboriginal women, based on the *Indian Act* as discrimination against these women. As part of the judge's ruling the GoC has been provided one year to revise the parts of the *Indian Act* that violate the charter rights of some Aboriginal women and their children. (U)

The British Columbia Court of Appeal's decision, the GoC's response and action, as well as the potential future SCC's ruling, will impact thousands of Aboriginal people, with the number of Status Indians potentially increasing by 50%. (U)

This potential increase in the number of Status Indians could have a serious financial impact on both the GoC and Aboriginal Communities. (A)

Federal Government Strategies and Decisions

Residential Schools Apology and Delays in Truth and Reconciliation Commission

Approximately 150 000 Aboriginal children between 7 and 15 years old attended residential schools in Canada, from 1870 to 1979. (U)

On 2008-06-11 Prime Minister Stephen Harper apologized for the abuse, both physical and sexual that took place in the federally funded, church-run residential schools. The apology was in addition to the commitments made under the Indian Residential Schools Settlement Agreement which included payments to former Indian residential school students and the establishment of a TRC. (U)

Protected "A"

The TRC is an independent body with the mandate to promote public education and awareness about the Indian residential school system and its legacy, and provide former students, their families, and communities an opportunity to share their experiences in a culturally appropriate environment. The objectives of the TRC include creation of a historical account of the Indian residential schools, support healing, and encourage reconciliation between Aboriginals and non-Aboriginal Canadians. (U)

Originally established on 2008-06-01 with a five year mandate, the initial challenges faced by the TRC contributed to the resignation of the Chair on 2008-10-20, followed by the resignation of the remaining two Commissioners on 2009-06-01. The appointment of new Commissioners is expected to take place in 2009, as the deadline for applications for new Commissioners was 2009-03-20. (U)

With the appointment of new Commissioners, it is anticipated that the TRC activities will be re-launched. (A)

As the TRC encountered unforeseen problems, it was unable to move forward on its mandate within the first year. These delays will be perceived by some as the GoC having done little to support the healing of Aboriginal people who attended Indian residential schools and may also have a diminishing effect on the 2008-06-11 GoC apology for the experiences of Aboriginal people who attended these schools. The delays in action will also impact on the TRC objective to create a historical account of the Indian residential schools as survivors of Indian residential schools become aged and die. (A)

AGC May 2008 Report on First Nations Child and Family Services Program, Indian and Northern Affairs Canada

On 2008-05-06 the AGC released her May 2008 report which included a review of the First Nations Child and Family Services Program of INAC. The report states that 5% of First Nations children living on-reserve are in care (in foster homes, group homes, or institutions), which is eight times the number of children living in care off-reserve. It also found that the funding provided by INAC for the operation of child welfare services is not based on the actual funding requirements to deliver these services. This funding shortfall has led to the needs of children in care not being met and inequities among Aboriginal communities. In addition, the report stated that there is no data available to determine if the child welfare services on reserves produce positive outcomes for the children they support. (U)

in response to the findings in the AGC report, that the findings confirmed everything First Nations have been saying since the mid-1990's and provides strong evidence to support the AFN and First Nations Child and Family Caring Society of Canada's complaint against INAC filed with the Canadian Human Rights Commission in 2007. (U)

The response required to address the issues identified in the AGC report will require policy changes and a significant increase in funding.

