



2016 CIRCLE OF ALL NATIONS YEAR END ASINABKA SACRED CHAUDIERE SITE REPORT

Summary

The Asinabka work has preoccupied us intensely since 2014, and our website, www.asinabka.com is a repository of archival materials detailing the development of the William Commanda Vision for the Sacred Chaudiere Site; the 2007 challenging of Domtar's plans for hydro development; and the more recent challenges of the Windmill development plans and the City of Ottawa's decision to make planning and rezoning decision that transform this geologically, culturally and historically unique site from public space to permit massive high rise condo development.

Of note here is the fact that there is no clarity on asserted land ownership; further that while Windmill who has claimed to own the lands and appears to be the developer, that it was actually the Domtar lawyer who appeared in Ontario Superior court on March 9 and October 26, 2016.

Appeals against the City of Ottawa's motion to dismiss our original appeal of November 2014 to the Ontario Municipal Board were overthrown at two levels of hearing at the Ontario Superior Court level, in an strange judicial process of *declining jurisdiction*; (*it seems to operate like this: a large platform is presented to explain/address challenging issues*; appeals to decisions address only each of the previous decisions; imagine an inverted funnel; it is a mechanism that is hard pressed to accommodate Indigenous thinking and approaches, as is also evident elsewhere in the criminal justice system). Nonetheless, what is notable is that the court (Justice Hackland) dismissed a demand of \$66,000 from Developers and City of Ottawa for the March 9, 2016 day in court, acknowledging three things of import: that the defendants, the City and Developer were in a much better position to handle costs than the five appellants, who were engaged in the legal challenge solely in the context of public interest; that the issue of public interest in the area was significant and relevant; and that more than the one group of Algonquins, the *Algonquins of Ontario*, had a legitimate vested interest in the area. Also, there is recognition that other constitutional rights and consultation issues are also of critical importance, in unsundered, unceded, unconquered Algonquin territory, and especially so in the growing recognition of the legitimacy of Indigenous communities on land and land protection matters.

The most recent action now tossed into the works has been the serving of notice to the federal government by the Algonquins of Quebec (the Algonquin Anishinabeg Tribal Council, under the leadership of Kitigan Zibi), that it is pursuing title of lands in the capital city, including at the Chaudiere Site; and the challenges of Algonquin of Ontario decisions by Grandmothers of Pikwakanagan.

An outline of the chronology of activities on the Asinabka file has been prepared for ease of reference. Extensive reports on all Circle of All Nations interventions are included in full in the website, including several from 2016. May I say a word of thanks to our volunteer website coordinator, Karen Bison for her years of dedication to this work in support of Grandfather William Commanda's Legacy Vision.

Contentious Issues

The past few years have been wrought with contentious practices that sadly, have perpetuated divisive colonial practices, political manipulations and duplicity, questionable interventions in schools, organizations, governing bodies, and advancement of capitalist and neoliberal agendas.

These play out against a backdrop of high profile Indigenous items: Murdered and Missing Indigenous Women; Residential School Legacy and the Truth and Reconciliation; acceleration in youth suicide, First Nations children's welfare, Standing Rock and pipeline issues, land title assertions, Metis and Inuit issues, and more; and the larger global spectrum of climate change, famine, terrorism, war, migrations, refugees, racism, political strife, physical and mental health crises. While we are aware of the multiple duplicities, we do not address them in this report. Many relationships have been fragmented despite Grandfather's decades of outreach and peace building.

The Chaudiere Falls resonate in many hearts. When William Commanda challenged expansion of the Domtar plans for the hydro dam here, (ironic to remember this now, given the breach of the dam in California), presenting instead a vision for healing of relations with consistent with the Laws of Nature, he was told, *What you are asking for will not happen*, the colonial will being that indomitable. He responded, *I love you anyway; we are not going to fight with boxing gloves, just with the truth.*

While William Commanda focused actively on the global Asinabka Indigenous Centre vision over the past two decades, in fact Indigenous interest in presence on the global stage was registered at the United Nations by him and his Indigenous colleagues in 1945; further, Ottawa was already the meeting place of the North American Indigenous Nations Government then. Even further back, the latest archaeological evidence confirms Indigenous gatherings here over seven thousand years ago. North America is now the home of the world. Without Indigenous embedded in the Centre, how can things unfold? Fifty years ago, Grandfather Commanda hosted his first international gathering of people in Eganville, and even the CEO of Weyerhaeuser joined the Indigenous tribes! Indigenous presence is growing in vibrancy and visibility in the Nation's consciousness and conscience, despite the odds.

In addition to presenting the legacy vision and challenging rezoning and privatization, we have also presented (1) information that addresses the geological, cultural/heritage, Indigenous, sacred, historical and contemporary importance of this site as a singular public zone, and hence of huge national significance in the history of Canada; and (2) we have also researched and documented its significance as a world “temple” site, and its global significance.

We trust leadership will continue to emerge to redirect us all to a vision of healing, inclusion and peace. We shall continue with our efforts to affirm the Asinabka Legacy Vision.

NOTE OTHER PLAYERS FORMALLY INVOLVED IN CHALLENGING DEVELOPMENT AT THE SACRED CHAUDIERE SITE SINCE DECEMBER 2013

Douglas J. Cardinal, Architect and Legal Counsel
Michael Swinwood, Elders Without Borders

Lindsay Lambert, Historian

Free the Falls Group

Stop Windmill Group

Quebec Algonquin First Nations

PSAC Aboriginal Employees Group

Carleton University Students' Union

Environmental groups

Countless people have written to challenge development, have participated in protests, and affirmative activities

This report does not cover the passionate efforts of the groups mentioned above. The diversity of players attests to the fires inspired by William Commanda and others in multiple diverse camps

**CIRCLE OF ALL NATIONS CHRONOLOGY/OVERVIEW OF WILLIAM
COMMANDA’S LEGACY VISION FOR ASINABKA SACRED CHAUDIERE
SITE (Year End 2016)**

**Asterisks * point to key documents available on the www.asinabka.com website;
Facebook page William Commanda Legacy Asinabka highlights issues related to
this subject**

**An Outline of Grandfather William Commanda’s work to develop and advance a
global vision for healing, peace building and environmental stewardship at the
ASINABKA Sacred Chaudiere Site:**

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| 1998 | Consultation with Algonquin Tribal Council |
| 1998 - 2002 | Consultation with all Algonquin communities, Circle of All Nations (CAN) national and international colleagues, national Aboriginal organizations and urban Aboriginal organizations in the national capital region |
| 2003 | Algonquin Elders meeting in Maniwaki and meeting with Algonquins of Pikwanagan to confirm details of the vision * |
| 2004 - 2006 | Heritage Canada provides \$50,000 for the development and negotiation of a Memorandum of Understanding with National Capital Commission and for the development of conceptual design plans by Douglas J. Cardinal Architect |
| 2006 | William Commanda is presented with the Key to the City on Victoria Island and presents Legacy Vision for the Sacred Chaudiere Site publicly |
| 2010 | City of Ottawa endorses the Legacy Vision |
| 2011 | Grandfather Commanda, my aunt and my mother pass on |
| 2012 | Circle of All Nations faces the challenge of the vacuum in the absence of Grandfather’s central leadership |
| 2013 Fall | Summer and Fall alerts to the threats to the Legacy Vision for the Sacred Chaudiere Site |
| 2013 Dec | December 11 Public Consultation re: Windmill project at Chaudiere/Albert Islands; hundreds attend, anticipating revival of Elder Commanda’s project; developers do not showcase the massive condo plans they had already prepared; William Commanda’s Legacy Vision supporters are concerned |

- 2014 Feb Circle of All Nations Consultation Meeting re: Windmill Project; strong determination to challenge
- 2014 March Circle of All Nations Equinox Gathering focused on Sacred Chaudiere Site – Mayor attends
- 2014 April Consultations with Algonquins and Urban Aboriginal groups offered, with Douglas Cardinal Architect; information made available to public
- 2014 June William Commanda Legacy Vision Note prepared and circulated
Circle of All Nations Solstice Gathering consultations *
City of Ottawa public consultations on Windmill plans *
Note also Circle of All Nations Synopsis/Chronology of Key Activities to advance the vision for the Indigenous Healing and Peace Building Centre*
- 2014 Sept Circle of All Nations writes to Domtar regarding the site, as per Elder Commanda’s correspondence in 2007, to advance understanding of the importance of the site as a historical heritage site and to solicit understanding and support for large global vision; comprehensive world heritage site note prepared *; Note also E. R Schmitz’s cosmological perspective research report, identifying Chaudiere as “temple” site comparable with Giza, Mayan Sun Pyramid and Ankara Wat *
- 2014 Sept City of Ottawa rezones public lands to permit privatization and condo development at contested ancient sacred/cultural/heritage/historical site
- 2014 Oct City of Ottawa public consultation – over 100 Indigenous and Circle of All Nations colleagues contest City’s planning and rezoning decisions *
- 2014 Nov Circle of All Nations appeals decision to Ontario Municipal Board - primary issues: land ownership, consultation, privatizing lands at unique public site, conflict of interest; National Capital Commission land sales and William Commanda’s Legacy Vision *; four others appeal as well
- 2015 June Ontario Municipal Board’s truncated pre-hearing conference; appeal subverted by City of Ottawa and Windmill Developer’s Motion to Dismiss Appeals against privatization and condo development *; appellants ordered to cross examine City and Windmill; no recording of meeting permitted
- 2015 Oct Second Ontario Municipal Board pre-hearing conference; deemed farcical by attendants; no recording of discussions permitted; Circle of All Nations delivers massive documentation

- 2015 Nov Ontario Municipal Board affirms Motion to Dismiss Appeals; dismisses Circle of All Nations argument because not a legal factum; appellants combine efforts to appeal to Ontario Superior Court
- 2016 Mar Appeal heard by Justice Hackland; duty to consult and constitutional questions raised; developers are now represented by Domtar's lawyers, affirming Windmill's misrepresentation on land ownership matters; City and Developers file for \$66,000 in costs against appellants for one day in court
- 2016 June Justice Hackland dismisses Appeal against Motion to Dismiss original Appeal of November 2014; appellants appeal this decision
- 2016 Sept Appeal heard by three Ontario Superior Court Justices; appeal is dismissed, amongst other things in view of "declining jurisdiction" (imagine this as a narrowing funnel, where the large globally relevant indigenous/peace and environmental issues addressed by William Commanda's 20 years of formal work to advance the vision for the Sacred Chaudiere Site are filtered out at an ever narrowing point that addresses legal technicalities that in fact preclude any fair hearing)
- 2016 Nov Justice Hackland dismisses City and Developer's claims for the \$66,000 in costs, finding that the case was a matter of public interest and that appellants represented public and not personal interests; that more parties than the Algonquins of Ontario have a vested interest in the lands and plans and decisions; and that the City and Developers were in a position to cover their own costs
- 2016 Dec Next steps re: appeals under consideration
- 2016 Dec Other Notable News: Quebec Algonquin Anishinabeg Tribal Council, under leadership of Kitigan Zibi Chief Jean Guy Whiteduck lays claim to lands in the Capital City, including the Chaudiere islands