



CHIEF DELBERT RILEY
HEREDITARY CRANE CLAN CHIEF, CHIPPEWA NATION



To: Mayor of Ottawa <Mark.Sutcliffe@ottawa.ca>
Cc: City of Ottawa Councillors <Matt.Luloff@ottawa.ca>, <Laura.Dudas@ottawa.ca>, <David.Hill@ottawa.ca>, <Cathy.Curry@ottawa.ca>, <Clarke.Kelly@ottawa.ca>, <Glen.Gower@ottawa.ca>, <BayWard@ottawa.ca>, <Collegeward@ottawa.ca>, <knoxdalemerivale@ottawa.ca>, <Jessica.Bradley@ottawa.ca>, <Tim.Tierney@ottawa.ca>, <stephanie.plante@ottawa.ca>, <rideaurockcliffeward@ottawa.ca>, <Ariel.Troster@ottawa.ca>, <Jeff.Leiper@ottawa.ca>, <Riley.Brockington@ottawa.ca>, <capitalward@ottawa.ca>, <Marty.Carr@ottawa.ca>, <Catherine.Kitts@ottawa.ca>, <George.Darouze@ottawa.ca>, <Ward21@ottawa.ca>, <Steve.Desroches@ottawa.ca>, <Allan.Hubley@ottawa.ca>, <Wilson.Lo@ottawa.ca>, The Governor General of Canada Her Excellency the Right Honourable Mary Simon <info@gg.ca>, Minister of Crown–Indigenous Relations Gary Anandasangaree <gary.anand@parl.gc.ca>, Police Chief Eric Stubbs <eric.stubbs@ottawa.ca>, Ottawa Police <info@ottawapolice.ca>, Executive Director of the Ottawa Police Services Krista Ferraro <krista.ferraro@ottawa.ca>, Ottawa Police Services Board Assistant Randa Ben Guedria <randa.benguedria@ottawa.ca>, OIPRD Complaints <OIPRDcomplaints@ontario.ca>

April 22nd, 2024

Dear Mayor [Mark Sutcliffe](mailto:Mark.Sutcliffe@ottawa.ca), Ottawa City Council Members, and the Ottawa police,

Aniin. I am writing to you on behalf of another Algonquin entrepreneur who is exercising his constitutionally protected Section 25 and 35 Aboriginal and treaty rights within the city limits of Ottawa – unceded Algonquin territory.

As you know from the other letters I have sent you, I am a Hereditary Crane Clan Chief of the Chippewa Nation, a former elected Chief of the Chippewas of the Thames First Nation, a former Land Claims Director and President of the Union of Ontario Indians, and the last President of the National Indian Brotherhood (the forerunner to the Assembly of First Nations, which I helped to found). As President of the National Indian Brotherhood I negotiated the inclusion of Sections 25 and 35 into the Canadian Constitution in order to enshrine the protection of Aboriginal and treaty rights in Canadian law.

I am writing to you today on behalf of Mr. Tom Nicholson, an Anishinaabe Algonquin from Pikwakanagan (Golden Lake) reserve. Mr. Nicholson has opened a medicinal cannabis dispensary on the unceded traditional lands of his people at Unit B, 2561 Baseline Rd., Ottawa.

Mr. Nicholson has the support of his family and the local landowner in the operation of his business. His trading post, Native Grasslands, operates in accordance with the protocols of the North Shore Anishinabek Cannabis Association which meet or exceed the health and safety requirements of Health Canada for cannabis. In providing medicine to those in need, and in establishing a business on his peoples unceded land, Mr. Nicholson is asserting his



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constitutionally protected Section 25 and 35 Aboriginal and treaty rights. As an Algonquin of Pikwakanagan, the City of Ottawa is located on the unceded lands of his people, and he has every right to operate his business on his land.

Mr. Nicholson's inherent Aboriginal and Treaty right to make medicine and to provide that medicine to people in need is further outlined in Canada's "[United Nations Declaration on the Rights of Indigenous Peoples Act](#)" which received Royal assent on June 21st, 2021. This law provides "a framework for reconciliation, healing and peace, as well as harmonious and cooperative relations based on the principles of justice, democracy, respect for human rights, non-discrimination and good faith" and adopts the United Nations Declaration on the Rights of Indigenous Peoples which "is affirmed as a source for the interpretation of Canadian law." According to its text, the "Act is to be construed as upholding the rights of Indigenous peoples recognized and affirmed by section 35 of the [Constitution Act, 1982](#)."

The Act further states that "The Government of Canada must, in consultation and cooperation with Indigenous peoples, take all measures necessary to ensure that the laws of Canada are consistent with the Declaration." There are multiple aspects of the Declaration which pertain to Mr. Nicholson's Aboriginal and Treaty rights to provide medicine and to engage in trade and economic development. The following are a number of Articles of the Declaration which are now enshrined in Canadian law:

Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

Article 23 Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.



Article 24: Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals.

Unlike the many Provincially regulated cannabis dispensaries, Mr. Nicholson's truck house is medicinal in nature and falls outside of the scope of Provincial regulation.

I trust that this letter has helped to provide some relevant information to you about Mr. Nicholson's constitutionally protected rights. Should you have any questions and concerns about Mr. Nicholson's truck house, I encourage you to contact me, and I would be happy to meet with you. To arrange a meeting, please reply to this email.

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Chief Del Riley

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