



IITIO

CANDO Links to Learning Saskatoon - Sept 2018

Wayne D. Garnons-Williams

Chair, International Inter-tribal Trade and
Investment Organization &
Senior Lawyer, Garwill Law Professional Corp.

GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION



3 Core messages: SWOT, Plan, Network

SWOT-
Plan-
Network-



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Present: Global Indigenous Trade

International Inter-Tribal Trade & Investment Organization



IITIO



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

3rd Global Tribal Trade Conference



IITIO Conference June 4, 5 & 6 - Oklahoma

- 1. How International Inter-Tribal Trade Works
- 2. Financing Trade
- 3. Opportunities for Inter-tribal Trade Growth
- 4. Update Tribal Trade agreements



WELCOME TO
The University of Oklahoma
COLLEGE OF LAW
NORMAN, OKLAHOMA



GARWILL LAW
RESULTS · RESOLUTION · RESPECT



Future: Economic Engine - Nation to Nation

Who works with IITIO?



IITIO



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



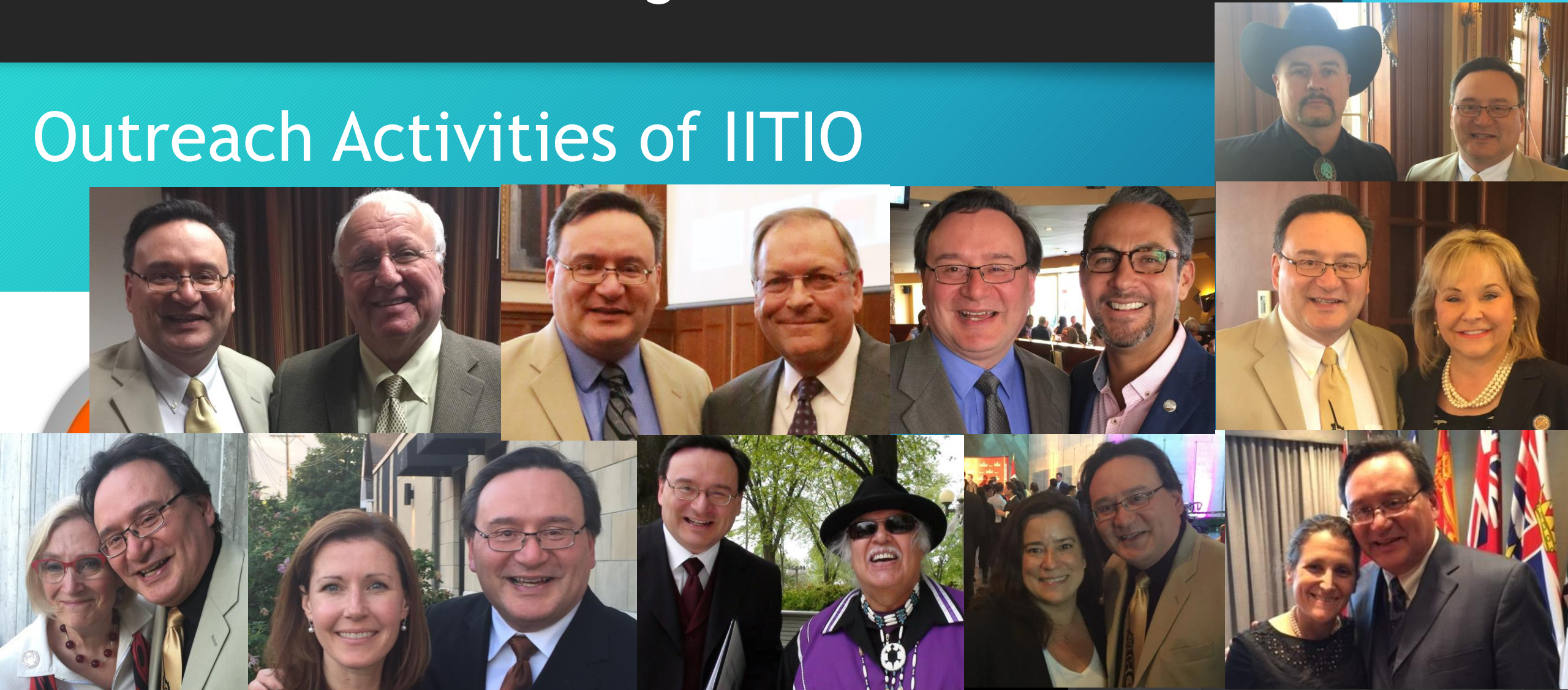
LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Future: Economic Engine - Nation to Nation

Outreach Activities of IITIO



Overview

Past
Present
Future



GARWILL LAW
RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Past: Pre/post Confederation, 1982+

Oolican Grease Trail

Obsidian Trade Routes

Pelts, Hides & Fish



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Past: Jay Treaty 1794

United States & Great Britain



T R E A T Y
OF
Amity, Commerce, and Navigation,
BETWEEN
HIS BRITANNICK MAJESTY
AND THE
UNITED STATES of AMERICA,
Signed at London, the 19th of November, 1794.

Published by Authority.



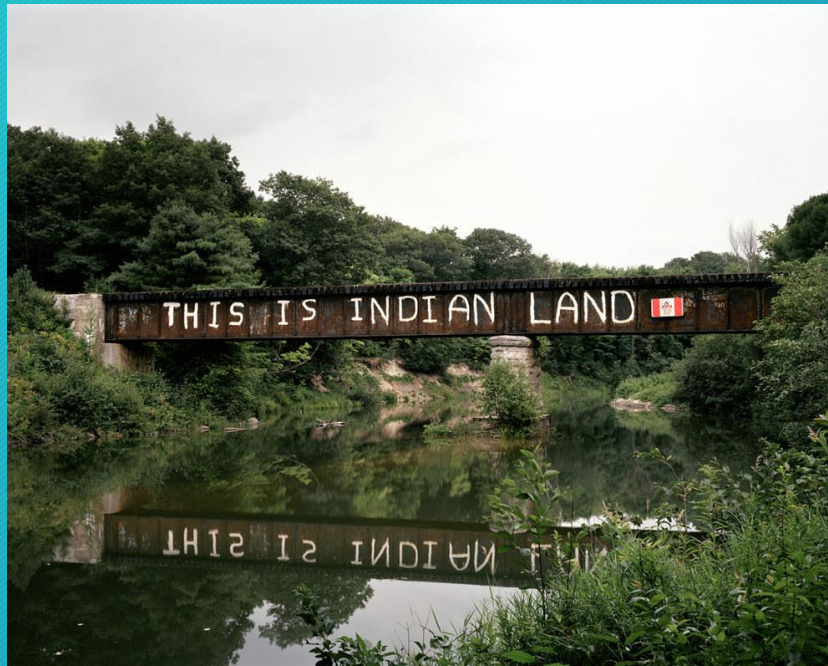
L O N D O N :
Printed by EDWARD JOHNSTON, in Warwick-Lane.

M D C C X C V .



Past: Pre/post Confederation, 1982 onward

Royal Commission on Aboriginal Peoples



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Past: Pre/post Confederation, 1982+

Canada v. US Constitution



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Past: Confederation, 1982 onward

Canada-US Free Trade Agreement



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Past: Confederation, 1982 onward

North American Free Trade Agreement



NAFTA



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



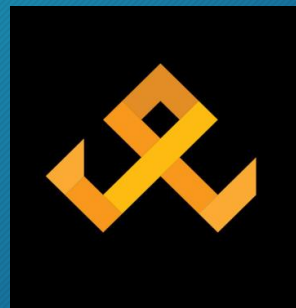
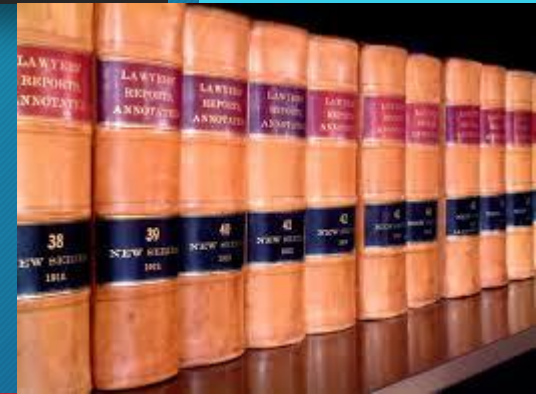
LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Past: Core Case Law

- *Delgamuukw v. British Columbia*
- *Tsilhqot'in Nation v. British Columbia*
- *Grand River Enterprises Six Nations Ltd. v. United States*
- *Hupcasath First Nation v. Canada*



GARWILL LAW
RESULTS · RESOLUTION · RESPECT



LITIGATION



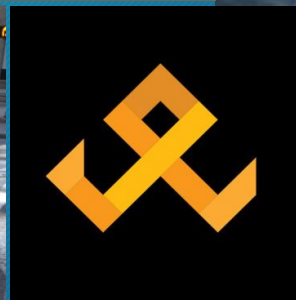
LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

Present Trade Climate

Political Climate & Cultural Clash



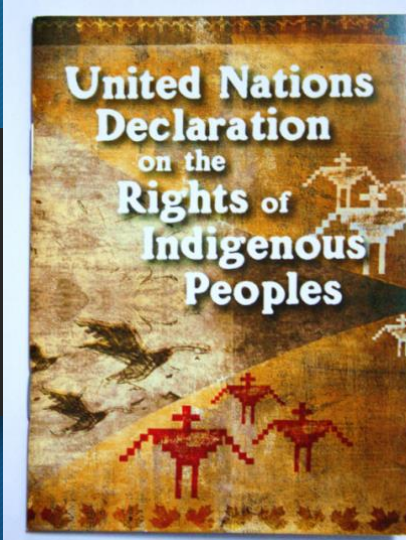
GARWILL LAW
RESULTS · RESOLUTION · RESPECT

LITIGATION LEGAL ADVICE ALTERNATIVE DISPUTE RESOLUTION

Three icons representing different legal services: a gavel for Litigation, a dog for Legal Advice, and a paper airplane for Alternative Dispute Resolution.



United Nations
DECLARATION
on the RIGHTS
of **INDIGENOUS**
PEOPLES



- **Article 19** States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them. (emphasis added)
- **Article 29 (1)** Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for the indigenous peoples for such conservation and protection, without discrimination. (emphasis added)
- **Article 20 (1)** 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. (emphasis added)



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

NAFTA: Indigenous Chapter

Initial Submissions



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

NAFTA - Indigenous Trade Chapter

Initial Results



GARWILL LAW
RESULTS · RESOLUTION · RESPECT

LITIGATION LEGAL ADVICE ALTERNATIVE DISPUTE RESOLUTION

IITIO: NAFTA - Indigenous Chapter

Influencing Policy Development on Indigenous Trade



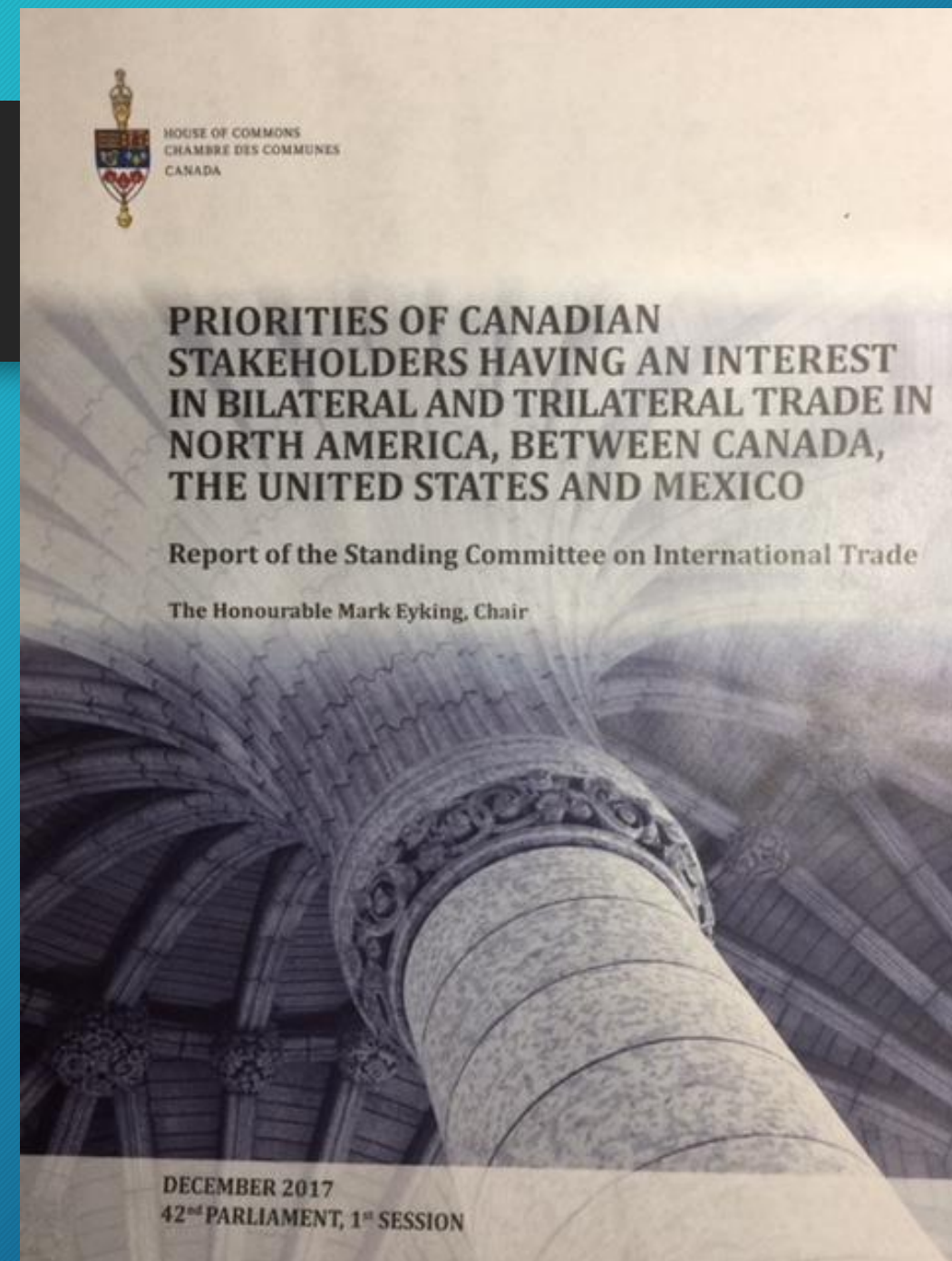
IITIO: NAFTA - Indigenous Trade Chapter

IITIO gathering US support for an Indigenous Chapter



IITIO: NAFTA - Indigenous Chapter

IITIO developing Parliamentary Influence



IITIO: NAFTA - Indigenous Trade Chapter

- Collaborative Indigenous Trade Chapter Working Group



IF NO NAFTA Indigenous Trade Chapter



IITIO



Welcome
to the sovereign and self-governing lands
of the unconquered and unconquerable
Chickasaw Nation!

Global Indigenous Markets



Canada - the Indigenous Trade Chapter & the World





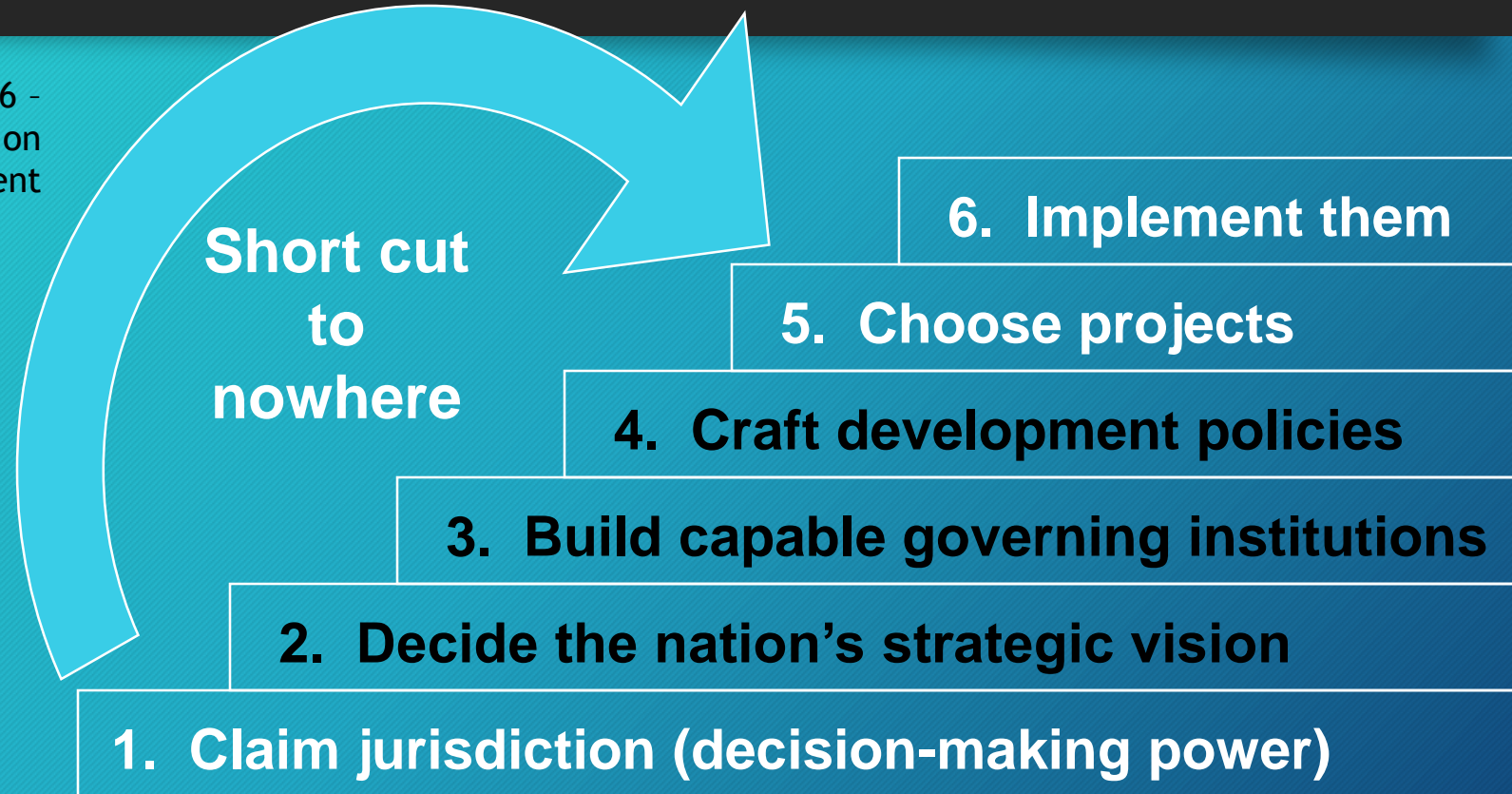
IITIO

Future Of Indigenous Trade



Preparing for Global Tribal Trade

© Dr. Stephen Cornell 2016 -
Harvard Project on
U.S. Indian Economic Development



What the Research Says...

© Dr. Stephen Cornell 2016 -
Harvard Project on
U.S. Indian Economic Development



Success here...



Depends
on
success
here...



...which
depends
on
success
here

Organizing Nation- or Community-Owned Businesses

Council-Run vs. Separated Business Models

Enterprises	Council-Run	Separated
Profitable	31	
Not Profitable	32	
Percent that are profitable	49%	
Odds of profitability	less than even	

© Dr. Stephen Cornell 2016 -
Harvard Project on
U.S. Indian Economic Development

Source: Harvard Project study of 121 tribally-owned/operated enterprises on more than 30 U.S. Indian reservations, 1990, 1992, 2002

Council-Run vs. Separated Business Models

© Dr. Stephen Cornell 2016 -
Harvard Project on
U.S. Indian Economic Development

Enterprise Type	Council-Run	Separated
Profitable	31	48
Not Profitable	32	10
Percent that are profitable	49%	83%
Odds of profitability	less than even	4.8 to 1

Conclusion: Nation-owned enterprises that are insulated from political interference are nearly five times as likely to be profitable as those that are not.

The Politics-Enterprise Balance

**Over-
controlled**

A Balance

**Under-
controlled**



Enterprises are under direct control of elected leaders, who micromanage and use enterprises for their own purposes, not the nation's.

Likely result:
mismanagement,
failure.

Nation sets development goals. Board and managers figure out how best to achieve goals, manage enterprises accordingly, and keep nation informed. Politics side-lined.

Result: businesses are more likely to succeed and serve the nation.

Enterprises are under the sole control of managers and have lost connection to the nation's goals.

Likely result:
community wonders what's going on and where the money's going.

Citizen-owned enterprises (the small business sector)



Native American Businesses and Communities



**SHOP
SMALL
SHOP
LOCAL
SHOP
NATIVE**



GARWILL LAW
RESULTS · RESOLUTION · RESPECT



LITIGATION

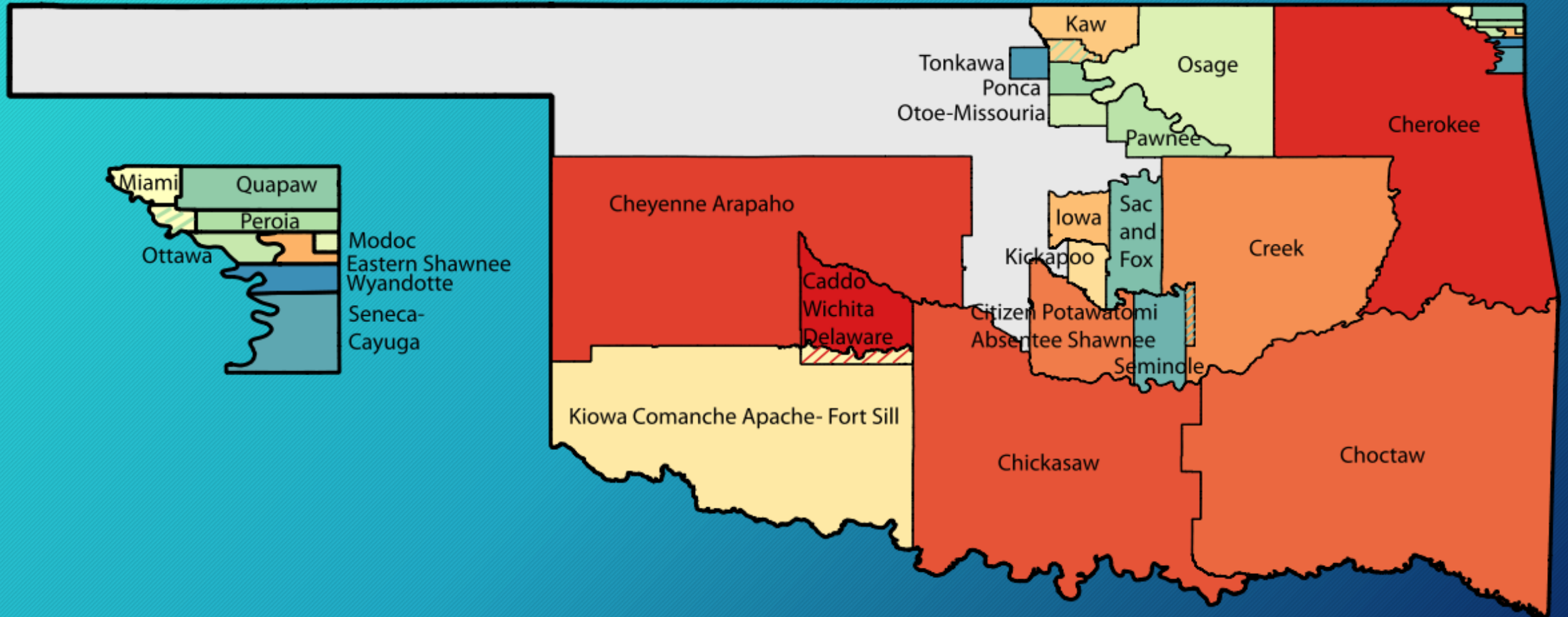


LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION

The Future - Oklahoma Tribes





Chickasaw
NATION INDUSTRIES
SERVICE WITHOUT RESERVATION



WWW.CHICKASAW.COM



Chickasaw Nation Mission

To enhance the overall quality of life of the Chickasaw People

Chickasaw Nation Vision

To be a Nation of Successful and United People with a Strong Cultural Identity



The Tribal government of the Chickasaw Nation serves **63,000** citizens through a broad array of programs, including:



13,681 Clothing Grants



\$19.4M in Education Assistance



815,000 Visits to Chickasaw Medical Centers & Clinics



191,000 Meals to Elders



\$9M in Chickasaw Home Loans



- ✓ Bank2
- ✓ Solara Surgical Partners
- ✓ Bedre' Chocolates
- ✓ Casinos & Gaming Centers
- ✓ **Chickasaw Nation Industries**
- ✓ Community Garden
- ✓ Convenience Stores
- ✓ Radio Stations
- ✓ Family Fun Center
- ✓ Chickasaw Outpost
- ✓ McSwain Theatre
- ✓ Lodging/Hotels
- ✓ Oklahoma Optical



Chickasaw
NATION INDUSTRIES
SERVICE WITHOUT RESERVATION

CNI Divisions

Information
Technology

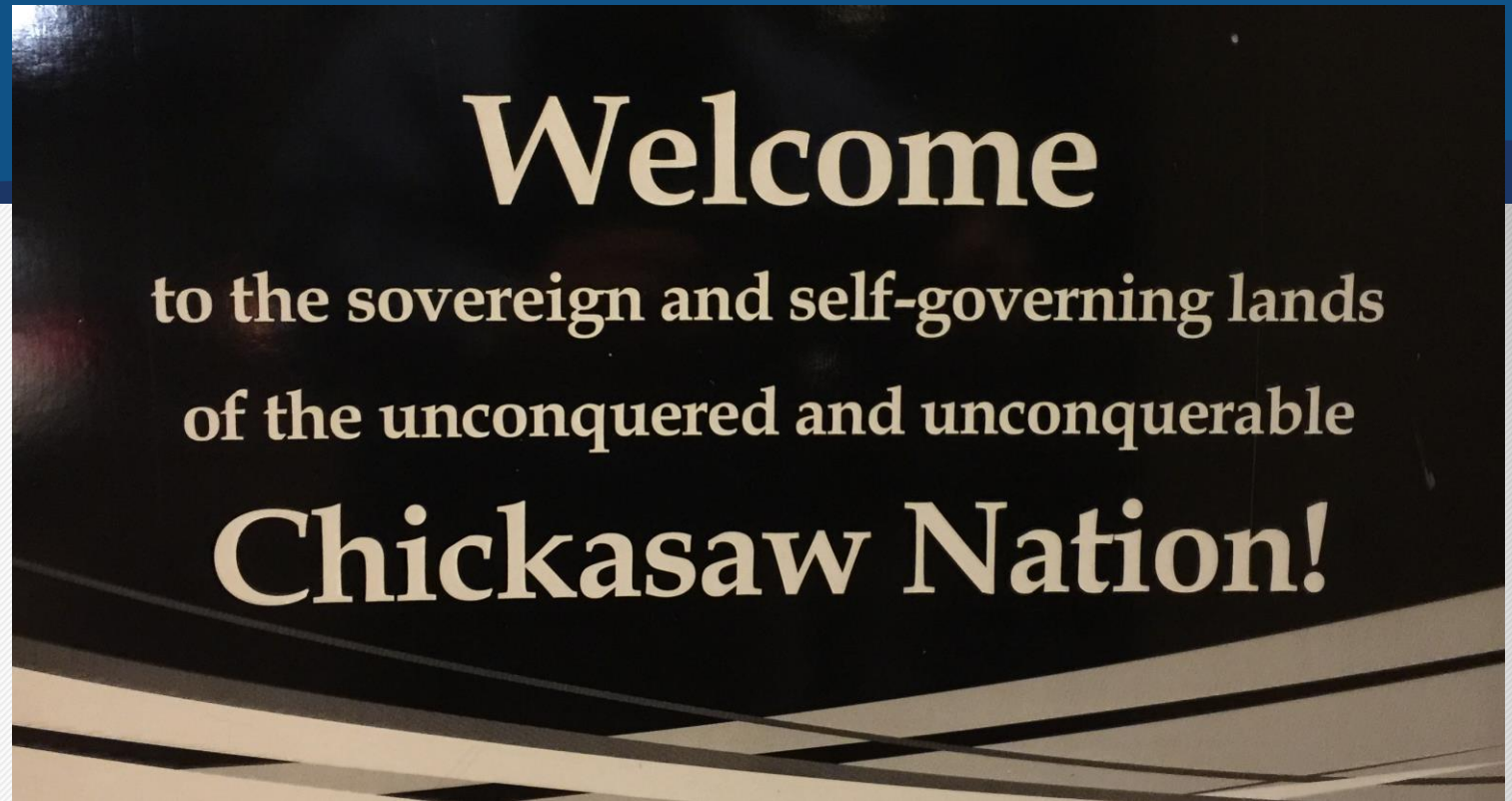
Defense Logistics

Aviation
Engineering

Health Consulting

Modeling &
Simulation

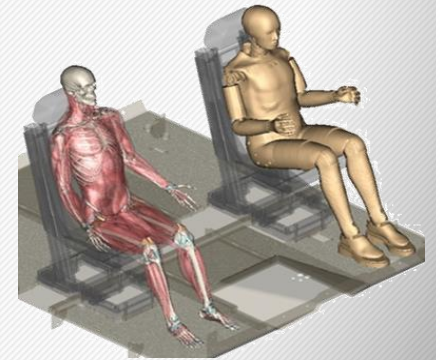
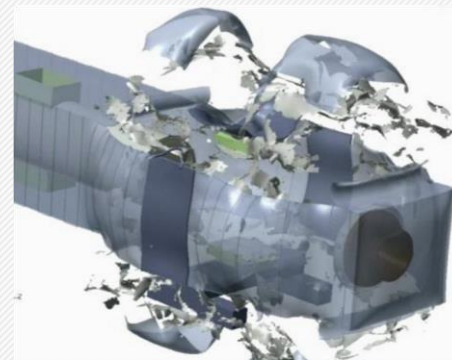
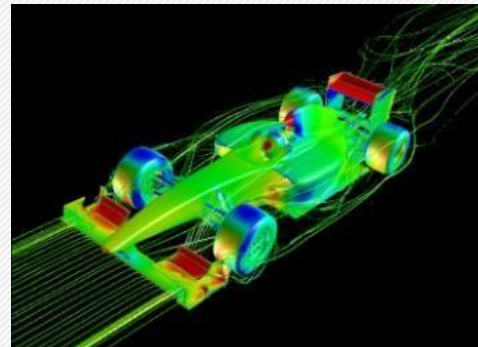
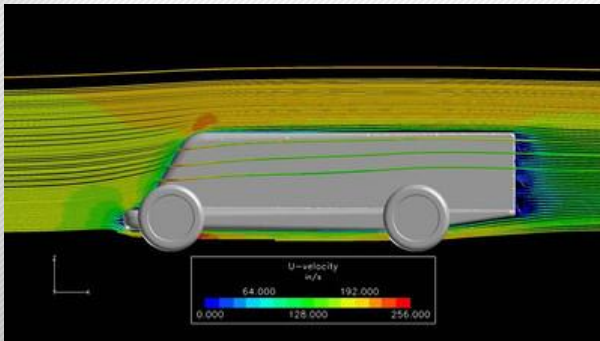
Energy &
Manufacturing





Chickasaw
NATION INDUSTRIES
SERVICE WITHOUT RESERVATION

Corvid Technologies Inc.



Service Without Reservation



Chickasaw
NATION INDUSTRIES
SERVICE WITHOUT RESERVATION



FILTRA
SYSTEMS

*A Chickasaw Nation Industries
Family Company*



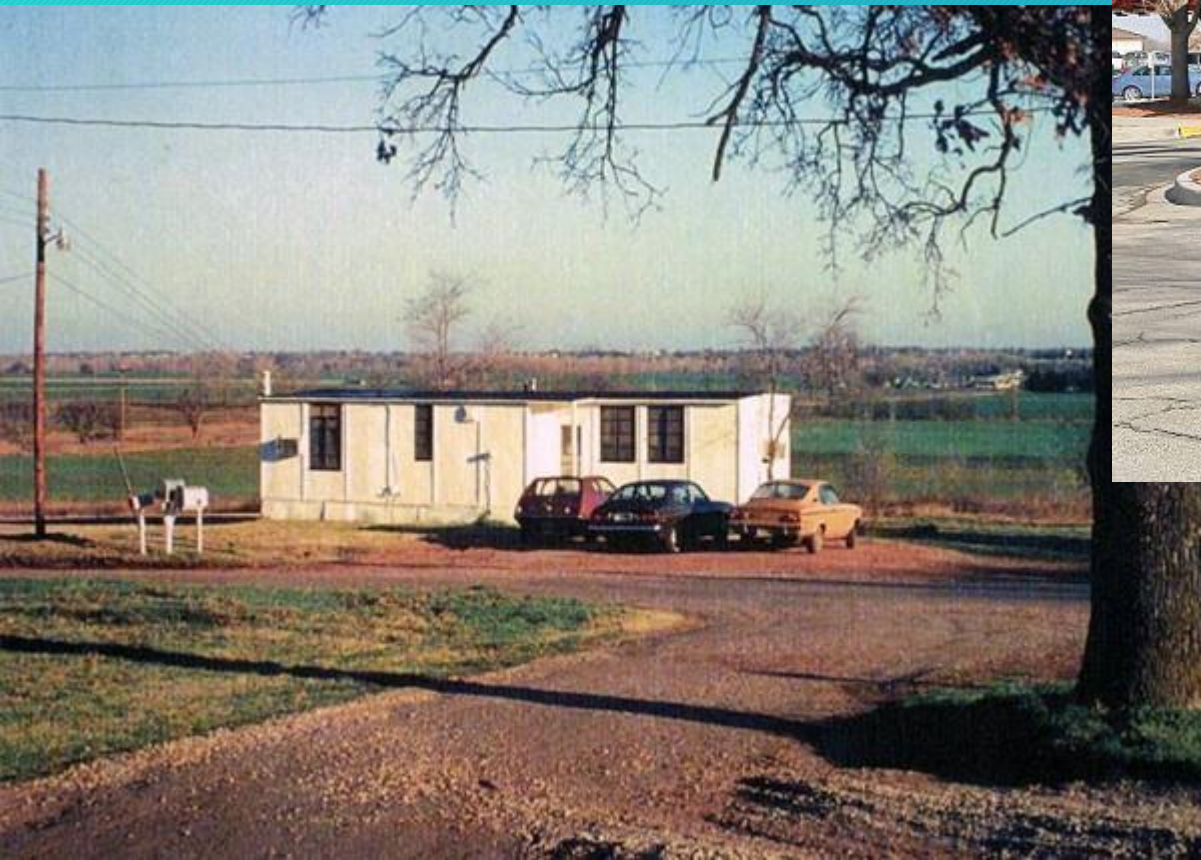
Service Without Reservation





**Business, Trade and Investment Profile:
The Citizen Potawatomi Nation**

Services Provided by CPN



Businesses



Foreign Trade Zone



East Entry



CPN Contributions





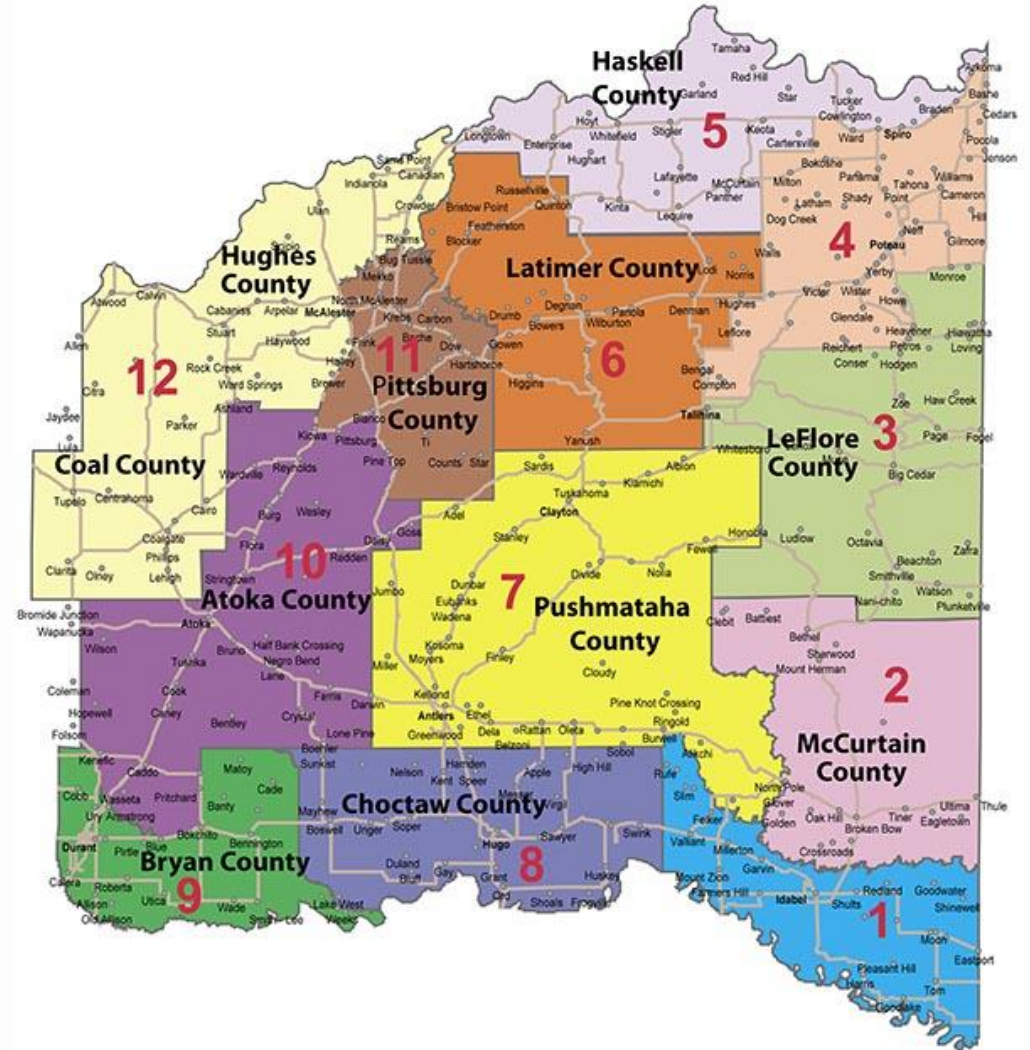
CPN Economic Impact





CHOCTAW NATION OF OKLAHOMA

CHOCTAW NATION OF Oklahoma



FY2015 ECONOMIC IMPACT TO STATE OF OKLAHOMA

\$1.9 BILLION

Total Economic Impact

**\$506
Million**
Wages &
Benefits
Supported

12,510
Jobs
Supported
*(7,773
Direct)*

\$208 Million
Capital
Expenditures



Services

- Adult Education
- Behavioral Health Programs
- Boys & Girls Clubs
- Career Development
- Child Care Assistance
- CHR (Community Health Representatives)
- Day Care Centers
- Domestic Violence
- Economic Development
- EDH (Eyeglasses, Dentures, and Hearing Aids)
- Educational Talent Search
- Emergency Assistance
- Family Preservation
- Food Distribution
- Head Start Programs
- Health Facilities
- Higher Education Scholarships
- Housing Authority
- ICW (Indian Child Welfare)
- Jones Academy School
- Law Enforcement
- LIHEAP (Workforce Investment Act)
- Veterans Advocacy
- WIC and WICO

CHOCTAW
CASINO | RESORT



Source: Stakeholder Interviews

CHOCTAW

TRAVEL PLAZA

ANTLERS
ATOKA
BROKEN BOW
DURANT EAST
DURANT WEST
SMOKE SHOP
GARVIN
GRANT
IDABEL
HEAVENER
MCALESTER
POCOLA
POTEAU
STRINGTOWN
WILBURTON



- 16 TRAVEL PLAZAS
- BUILDING 3 NEW LOCATIONS THIS YEAR:
 - HEAVENER
 - HUGO
 - STIGLER
- REMODELING LOCATIONS ON ONGOING BASIS



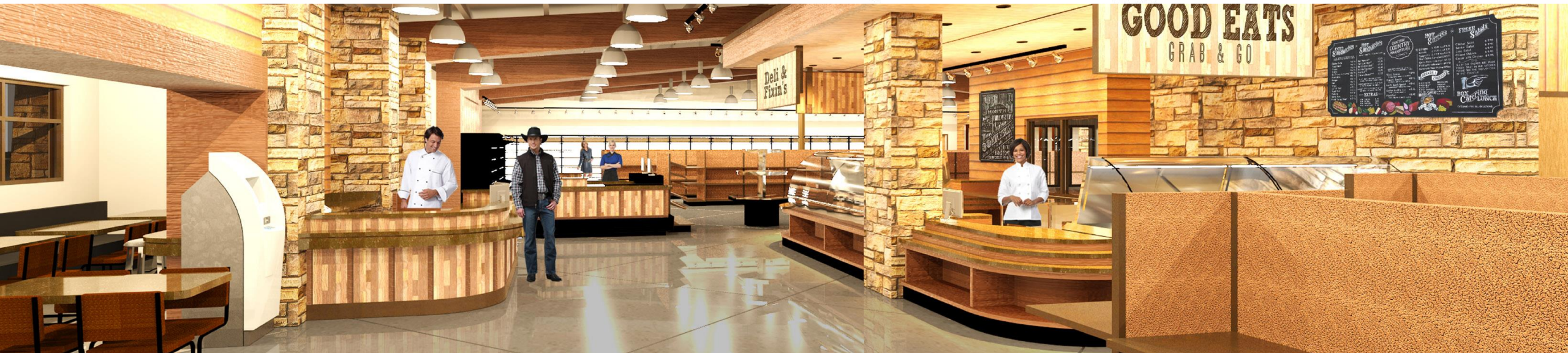
CHOCTAW COUNTRY MARKET

Located in Clayton

11,000 SQ FT

Opened August 2016

Employs 24 people



AGRICULTURE/RANCHING/GAME RESERVE





pecan PRODUCTION

Management and harvest of pecan groves/orchards

2,800 acres (6,700 trees) currently used for pecan farming

Anticipate annual harvest of 160,000 pounds

Recently planted improved, irrigated orchards (approximately 1,200 trees)

Moving towards CNO-branded pecan products and internal processing and product refinement

Reviewing opportunities for expansion through acquisition of existing orchards and value-added businesses (acquired one pecan orchard in 2016)

Now available for sale at Choctaw retail and Internet locations

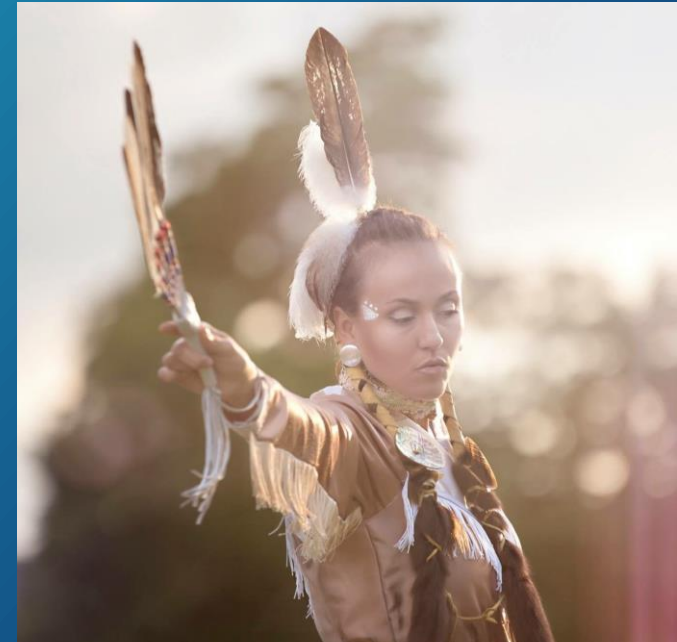


TOURISM



PARTNERING WITH OTHER TRIBES/FIRST NATIONS

- BUY & SELL INTERNALLY PRODUCED GOODS FOR PLACEMENT
 - RESORTS/CASINOS
 - TRAVEL PLAZAS
 - MARKETS
- MANUFACTURING/PRODUCTION/STAFFING CAPABILITIES
- MANAGE OPERATIONS
 - GAMING OPERATIONS
 - HOTELS/RESORTS
- FUND BUSINESS/DEVELOPMENT



Q&A



IITIO

Thank you from your Presenter:

Wayne D. Garnons-Williams LLB, MPA, MLS

Chair, International Inter-tribal Trade and Investment Organization

Senior Lawyer, Garwill Law Professional Corporation

www.garwilllaw.com

www.iitio.org

(613) 778-8685

(613) 614-6277



GARWILL LAW

RESULTS · RESOLUTION · RESPECT



LITIGATION



LEGAL ADVICE



ALTERNATIVE DISPUTE
RESOLUTION