



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

National Claims Research Workshop

October 25, 2023

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Specific Claims Branch



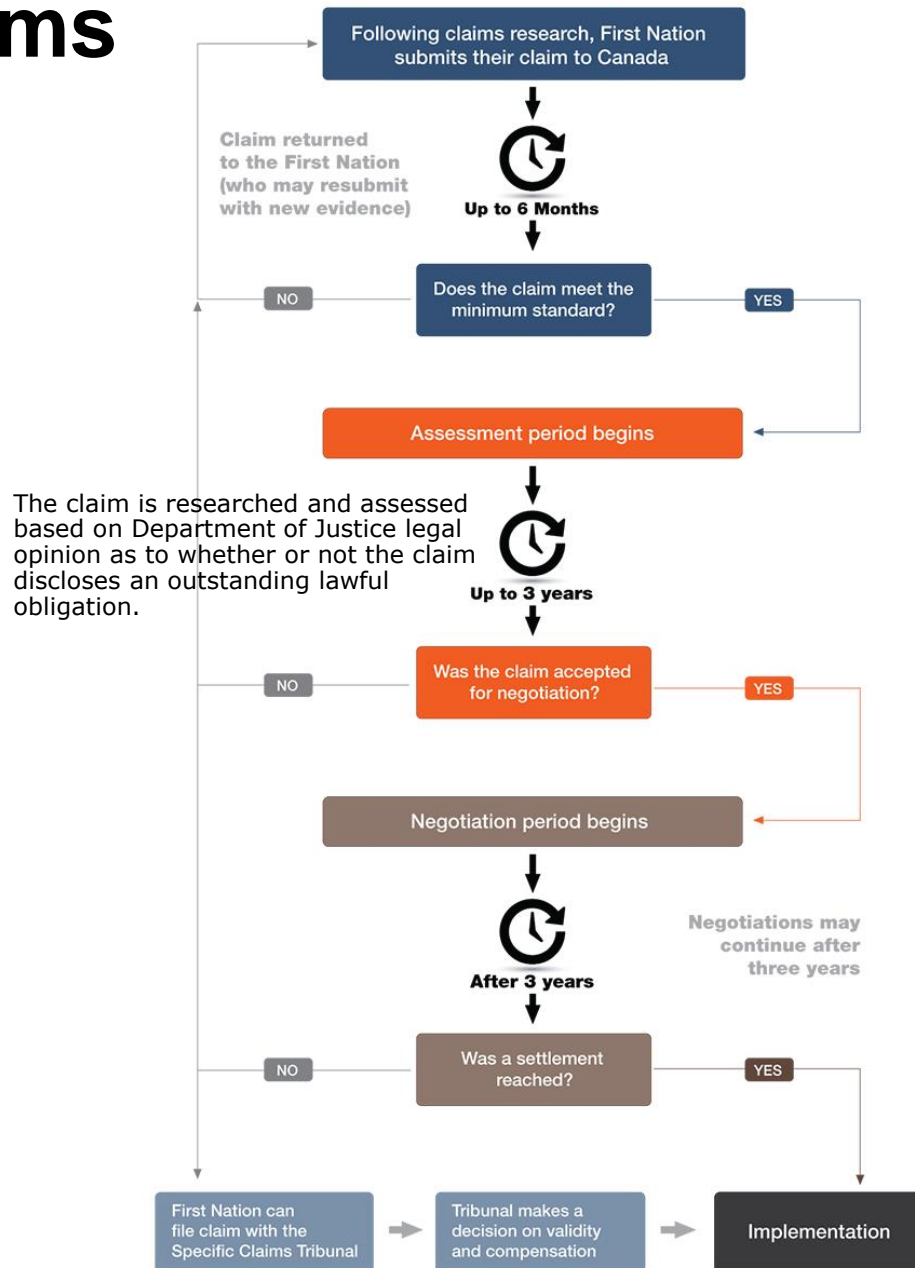
Canada



Specific Claims

What are Specific Claims?

- Specific claims are grievances that First Nations have against the Government of Canada for failing to discharge its lawful obligations with respect to pre-1975 treaties and the management of First Nation lands and other First Nation assets.
- Resolving specific claims can be an important step on the road to reconciliation.
- Canada is currently working with First Nations to reform the Specific Claims Policy and improve the resolution process.

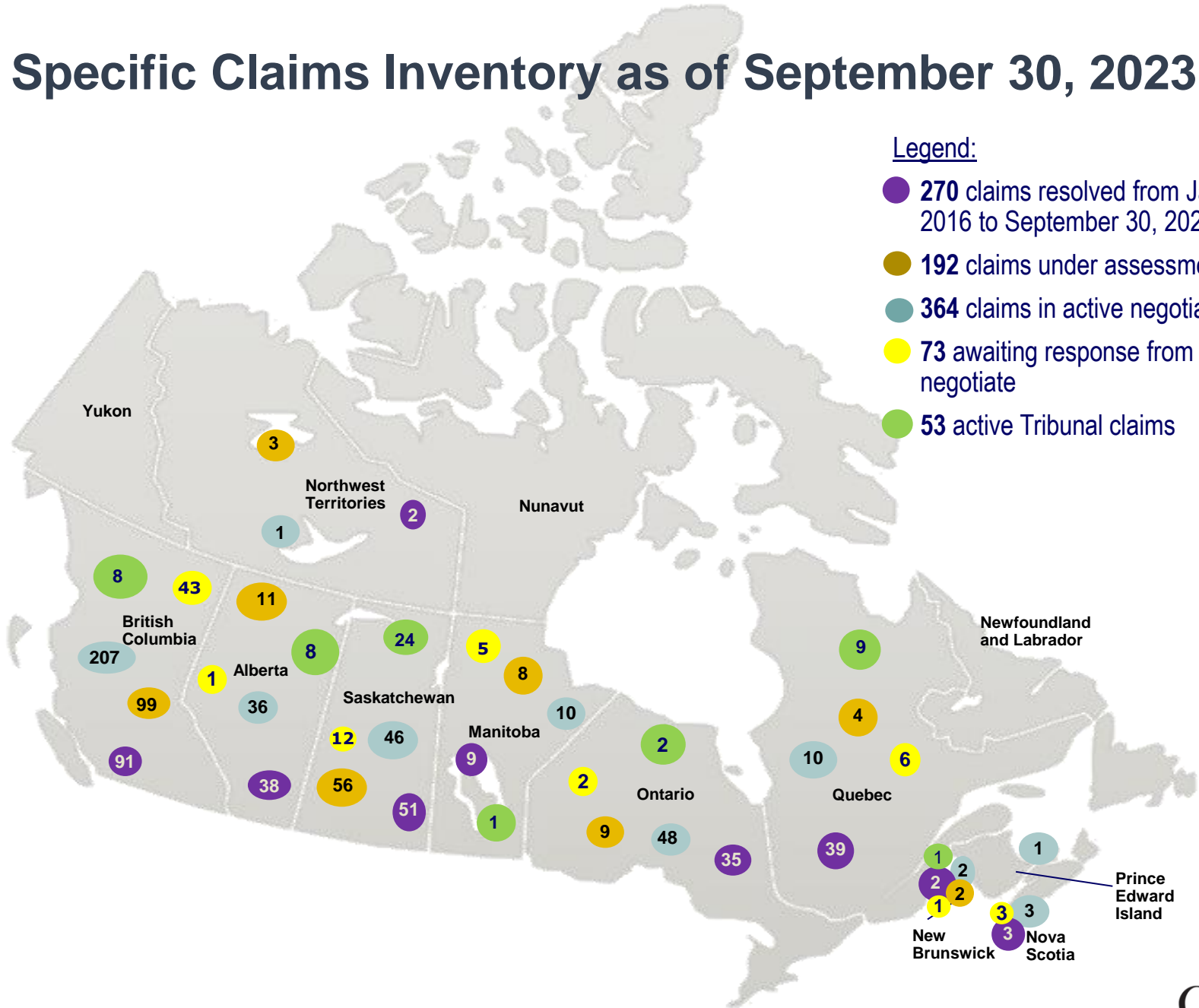




Specific Claims Inventory as of September 30, 2023

Legend:

- 270 claims resolved from January 2016 to September 30, 2023
- 192 claims under assessment
- 364 claims in active negotiations
- 73 awaiting response from FN to negotiate
- 53 active Tribunal claims

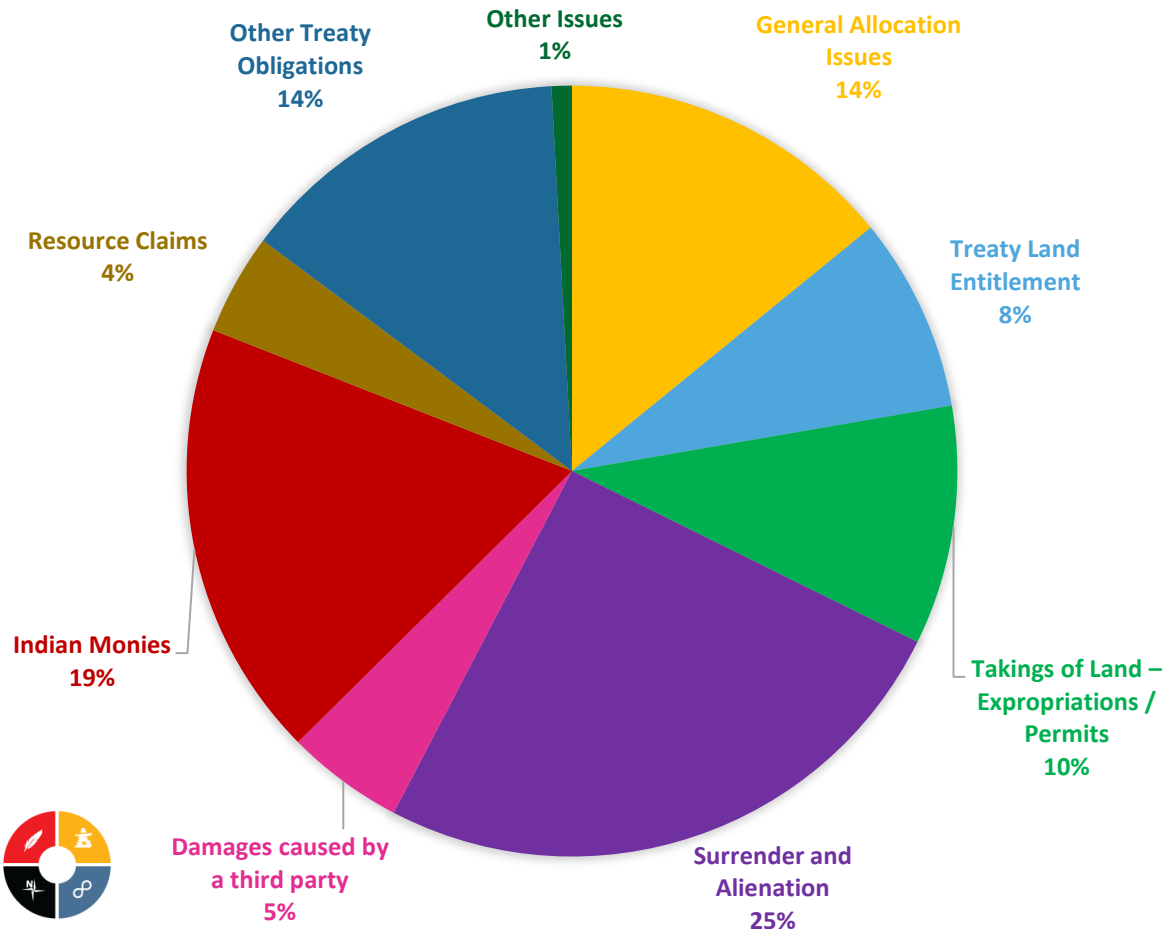




Specific Claims Landscape

- Since the program began in 1973 to September 30, 2023, 675 claims, totaling close to \$13.3 billion in compensation, have been settled through negotiations.
- Much of this progress has been in recent years. Since 2016, 270 claims were settled through negotiations, and five were resolved at the Tribunal. During fiscal year 2022-23, 56 claims were settled, for over \$3.5 billion in compensation. As of September 30, 2023, there were 682 claims in the Specific Claims inventory.

SPECIFIC CLAIMS INVENTORY

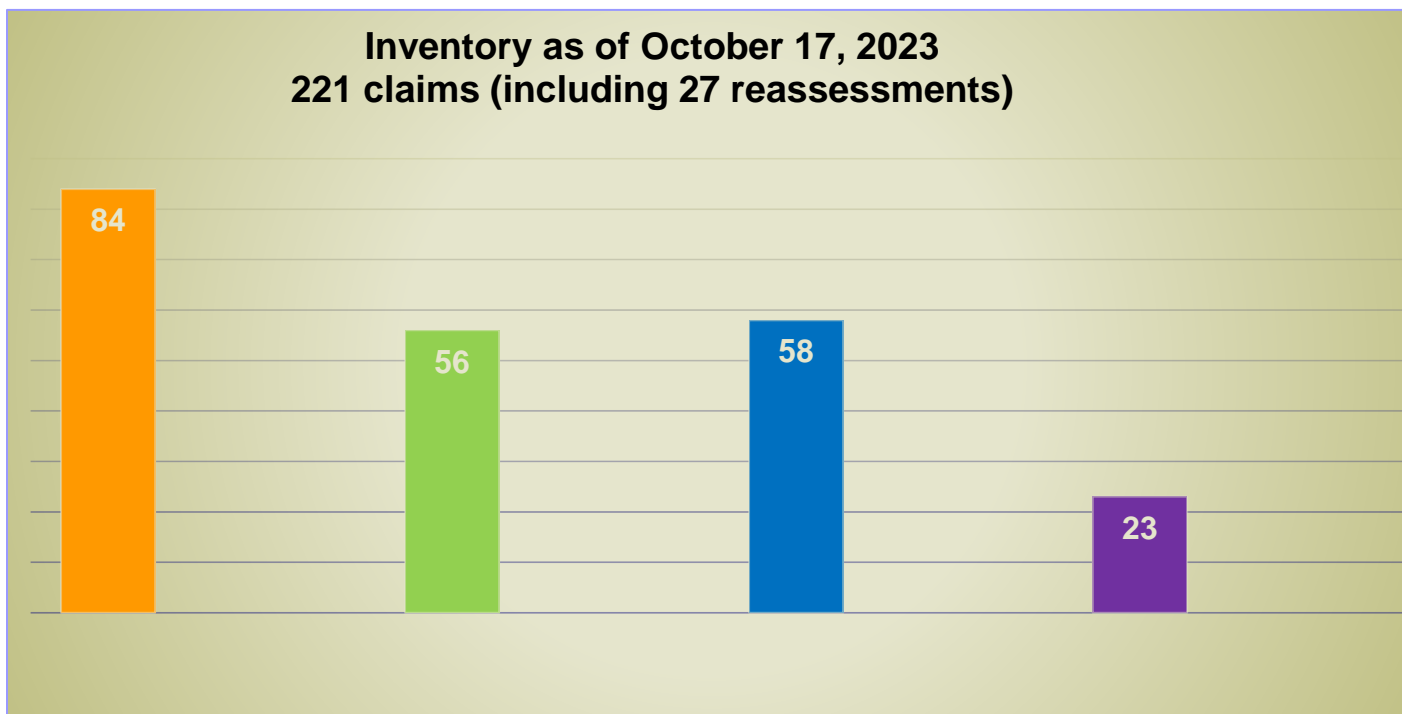
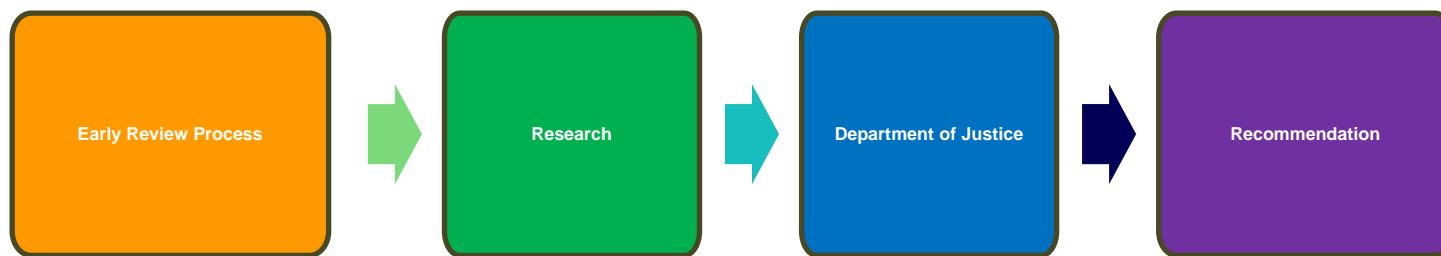


Type	Example(s)
(1) General Allocation Issues	Survey Errors
(2) Treaty Land Entitlement	Failure to provide full entitlement
(3) Takings of Land – Expropriations/Permits	Highways, Railways
(4) Surrender and Alienation	Invalid Surrenders
(5) Damages caused by a third party	Dams, Right of Ways
(6) Indian Monies	Misadministration of funds in trust account
(7) Resource Claims	Sub-surface rights issues
(8) Other Treaty Obligations	Agricultural Benefits
(9) Other Issues	Trespasses





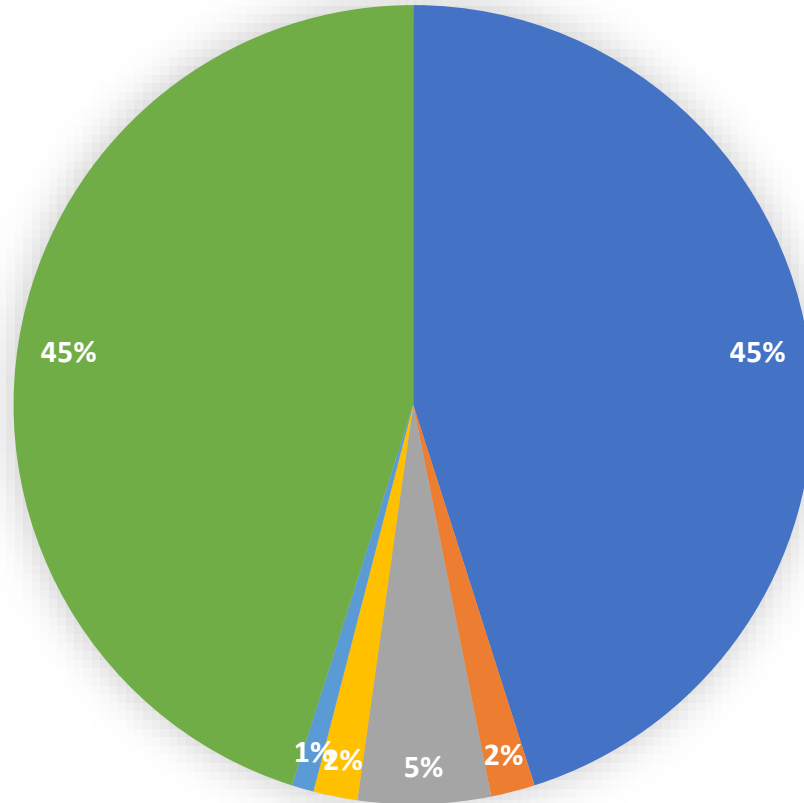
Inventory of Claims at the Review Stage by Status





Claims Under Review by Region

Percentage, as of October 17, 2023



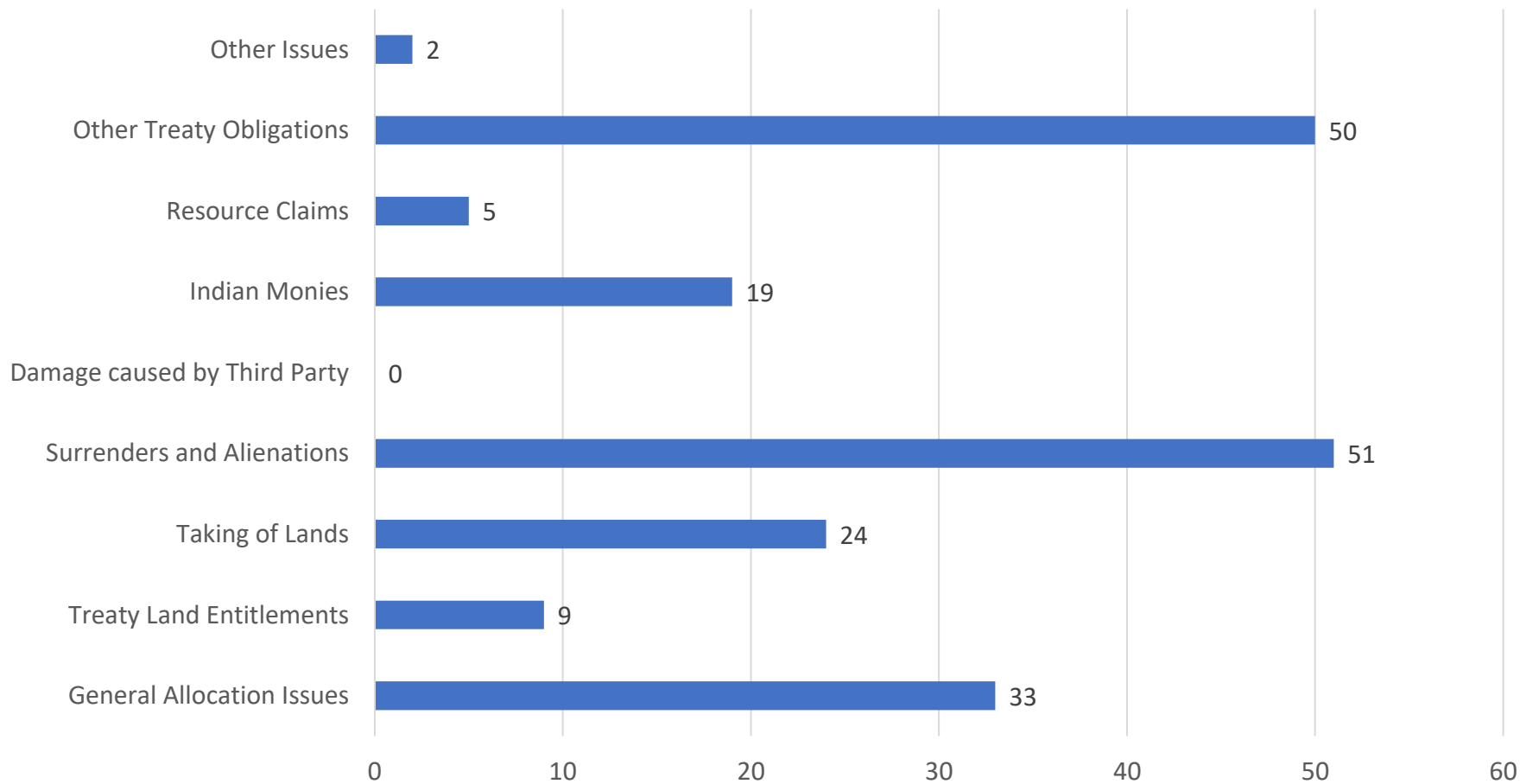
■ British Columbia ■ Territories ■ Ontario ■ Quebec ■ Maritimes ■ Prairies





Claims Under Review by Typology

As of October 17, 2023 (does not include claims at the ERP stage for which no typology has been assigned)





Research and Assessment Volume and Trends for 2023-2024

- **Received:** 40 claims
- **Filed:** 62 claims filed with the Minister
- **Reviewed:** 30 claims, resulting in 29 offers to negotiate, with 1 claim not receiving an offer to negotiate
- **Reassessment:** 4 claims
- **Claims past legislated timeline:** 1





Improving the Specific Claims Process

- Adopting a more collaborative approach with First Nations during claims assessment
 - connecting earlier in the process
 - Sharing research summaries
- Making the process more efficient
 - bundling claims
 - framework approaches when warranted;
 - improving internal processes (repeal of Order in Council requirement, mandating changes)
- Focusing on reconciliation
 - delivering apologies
 - moving away from modern surrenders
- Co-developing a reformed specific claims process
 - increasing credibility and independence of the process
 - supporting efficient resolution through additional tools
 - resource hub for First Nations



Organizational Chart of SCB

