



Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

**Specific Claims
Presentation for the
National Claims Research
Directors Meeting
May 16, 2024**



Canada



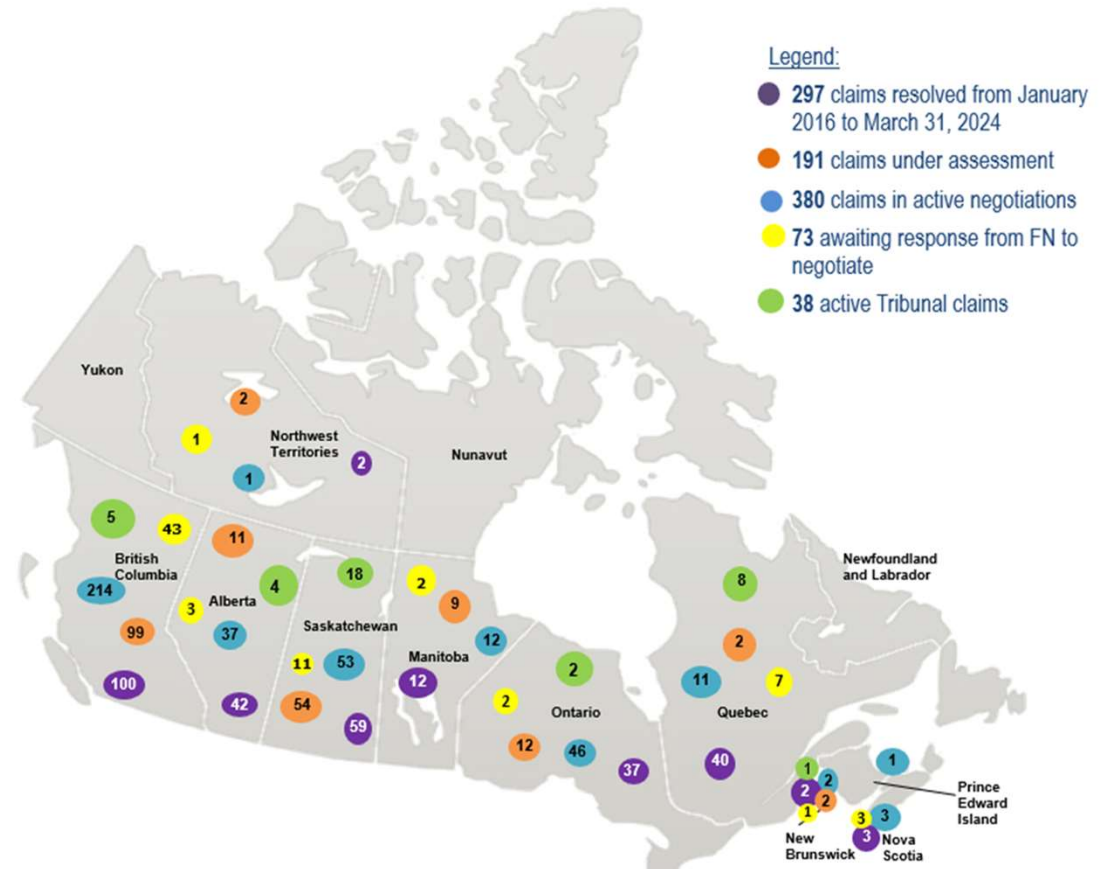
Purpose

- Provide overview of the inventory of claims, with a focus on the claims at the review stage.
- Provide information on data points collected by location, type and step of the review process.
- Provide information on trends in the inventory of specific claims and on the Agricultural Benefit Claims Accelerated Resolution Framework.

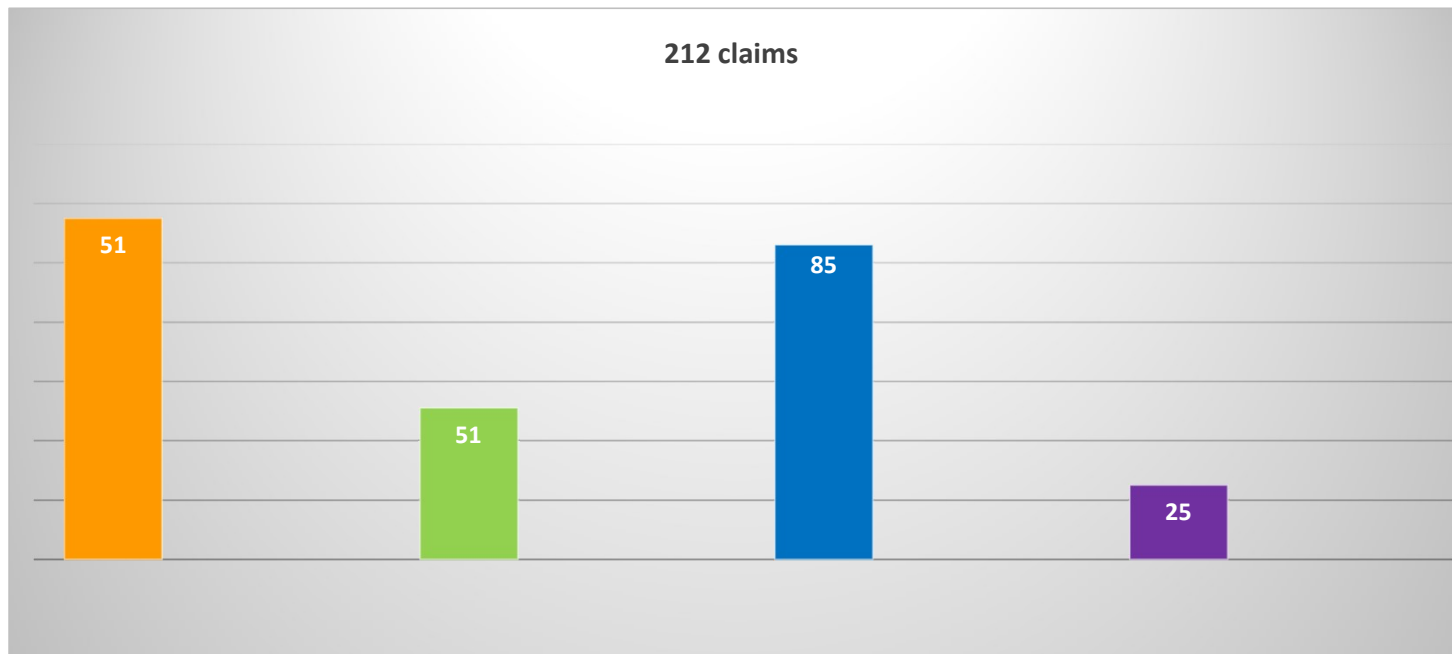
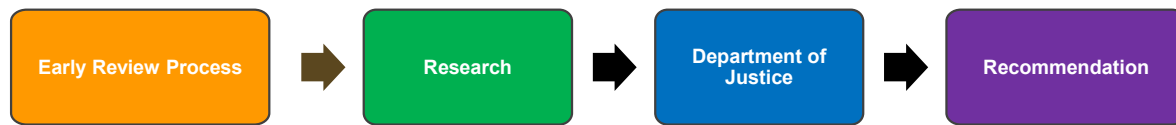


Specific Claims Inventory as of March 31st, 2024

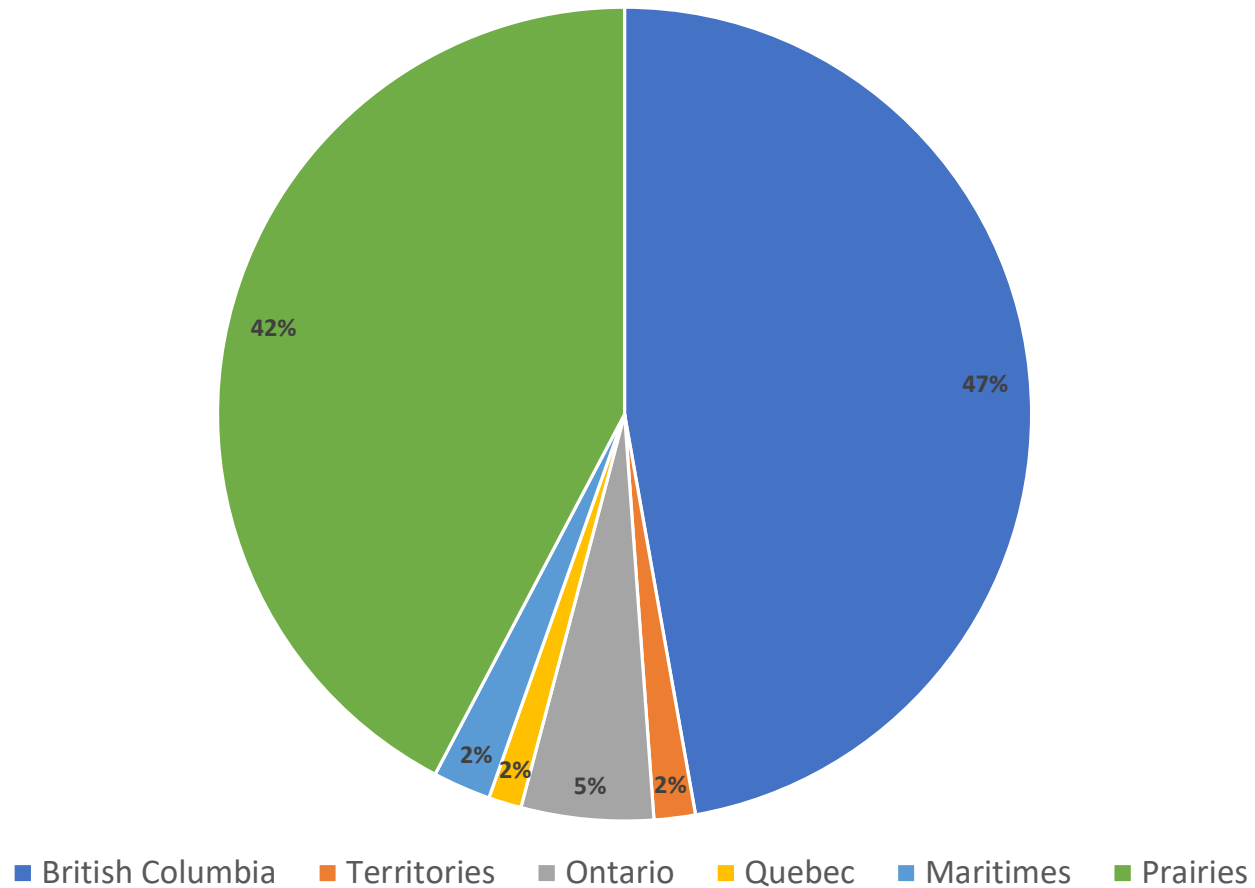
- Since the program began in 1973 to March 31, 2024, 702 claims, totaling more than \$14.9 billion in compensation, have been settled through negotiations.
- From January 1, 2016 to March 31, 2024, 297 claims have been resolved for close to \$11.1 billion in compensation.
- Of these, 292 were settled through negotiation for \$10.9 billion in compensation, and five were resolved at the Tribunal for over \$169 million in compensation.
- Of the 292 claims settled through negotiations, 230 claims settled for less than \$50 million; 54 settled for between \$50 million and \$150 million; and eight claims settled for more than \$150 million.
- From April 1, 2023 to March 31, 2024, 42 claims were settled for \$2.5 billion in compensation; 99 claims were filed with the Minister; and Canada made an offer to negotiate on 84 claims.
- Map does not capture the claims that have the received status, and which are going through the Early Review Process.



Inventory of Claims at the Review Stage by Status as of May 2024

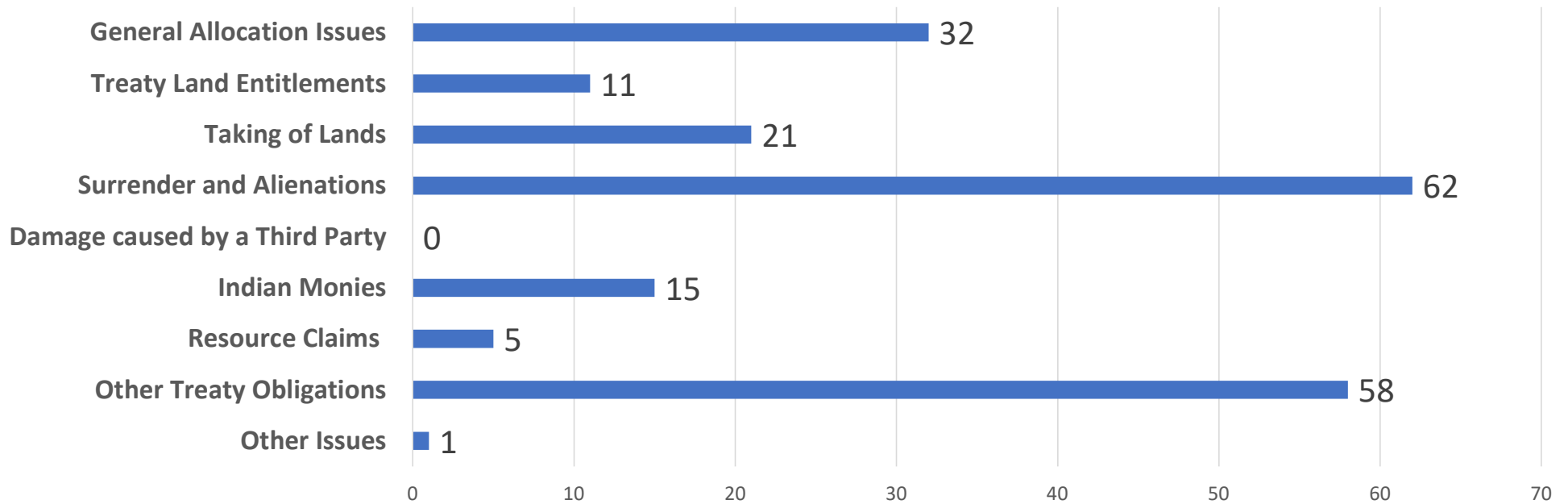


Percentage of Claims in Assessment by Region as of May 2024



Claims Under Review by Typology

Claims Under Review by typology as of May 2024
(does not include some claims at the ERP stage for which no typology has been assigned)



Statistics for 2023-24

- **Filed:** 99 claims filed with the Minister.
- **Reviewed:** 85 claims, resulting in 84 offers to negotiate.
- **Reassessments:** 11 requests.
- For claims for which the review was completed last fiscal year, the average time for processing claims was 2.3 years.
- There are 3 claims past the 3-year legislative deadline, due to complex historical and legal analysis. First Nations are informed of delays.

Agricultural Benefit Claims Accelerated Strategy Basics

- Framework approach to expedite “cows & plows” claims under Treaties 4, 5 & 6
- Historical records and other available evidence suggest that the Government of Canada often did not completely fulfill its agricultural benefit obligations under Treaties 4, 5 and 6. Canada has created this process to address these claims more consistently and more expeditiously.
- Is within the Specific Claims process but with expedited elements
 - Expedited Submission and Assessment Process
 - Expedited Negotiation
 - Expedited Settlement Mandating and Settlement
- Framework approach is not mandatory; First Nations can elect to negotiate claims under the regular specific claims process.

Agricultural Benefit Claims Accelerated Strategy - SCB Global Research Project

- SCB has proactively undertaken a global research project into the agricultural and treaty benefits of all Treaty 4, 5 and 6 First Nations. This project will be finalized in the summer 2024.
- The goal of this project was to expedite the review of claims. The main objective of the research is to identify if there is a shortfall and if there was partial fulfilment of the agricultural and other treaty benefits.
- The scope of the project covers the following elements:
 - Date of Treaty adhesion
 - Band splits and amalgamation
 - Date of survey of reserve and FN settlement on the reserve
 - Date of first cultivation
 - Information on the provision of agricultural implements at the agency and band levels
 - Information on provision of other treaty benefits
 - Population data throughout the distribution period.
- SCB will share this research with all First Nations who submit an agricultural benefit claim.

Agricultural Benefit Claims Accelerated Strategy - Expedited Submission and Assessment Process

- Abbreviated claim submission can be submitted in the form of a Band Council Resolution indicating that the First Nation wishes to submit an agricultural benefit claim.
 - *(No need to submit the usual documents, which would typically include a historical report, legal submission, document collection, and index).*
- First Nations with other treaty benefit claims (salaries, triennial clothing, ammunition and twine) can choose to submit their claim at the same time as an agricultural benefits claim or separately. The Band Council Resolution should be specific about what benefits are being claimed.
- This abbreviated submission relies on the research which has been conducted by CIRNAC. In some cases additional review may be necessary (e.g., where there are questions about beneficiaries due to band splits or amalgamations).
- First Nations who wish to submit their own research may do so and use the standard submission process. The duration of the review process will then be longer.

New since August 2023: SCB sharing of historical reports

- New since August 2023: SCB is sharing historical reports, document collections and annexes.
- Compliance with *Access to Information Act and Privacy Act* : some information and document may be redacted if they concern information belonging to another First Nation or information which is protected.
- Forward-looking approach, limited capacity to share reports for past claims.
- As the review process is subject to statutory deadlines under the *Specific Claims Tribunal Act*, the sharing of these materials is for information purpose only and does not require your feedback.

New information on website - How to submit your claim

- Specific Claims submission can be sent by mail or courier to the Director General for the Specific Claims Branch at Crown-Indigenous Relations and Northern Affairs Canada at the following address:
Director General, Specific Claims Branch
Crown-Indigenous Relations and Northern Affairs Canada
25 EDDY ST, Gatineau, Quebec K1A 0H4, Canada
Mail Stop 16-5
Building LES TERRASSES DE LA CHAUDIÈRE, Floor 6
- A Specific Claims submission can be sent electronically through a secure file exchange with Titan file. If you wish to send your claim electronically, please make a request to: dgrpservicesgeneraux-scbcorporateservices@rcaanc-cirnac.gc.ca to organize the file transfer.
- Claims must be submitted through 1 of these 2 means in order to be received and processed. If you have not received an acknowledgment letter within 1 month of your claim submission, please contact: dgrpservicesgeneraux-scbcorporateservices@rcaanc-cirnac.gc.ca.
- Please do not send your claim directly to the Minister.

SCB Contact information

Don't hesitate to reach to us to discuss your claim:

- Stefan Matiation, Director General, stefan.matiation@canada.ca
- Marie-Laurence Daigle, Director, Research & Assessment, marie-laurence.daigle@canada.ca
- François Routhier, Director, Policy and Litigation Management, francois.routhier3@canada.ca
- Nihal Sherif, Senior Director, Negotiations, nihal.sherif@canada.ca
- Rizwana Lalani, Director, British Columbia Specific Claims Negotiations Directorate, Rizwana.lalani@canada.ca

Generic enquiries, Titan file secure transfer request or request for claim submission:

aadnc.dgrpservicesgeneraux-scbcorporateservices.aandc@canada.ca