

2024 National Claims Research Workshop November 5th – 7th, 2024
The Canadian Museum of History - Traditional Algonquin Territory

Day 1 – November 5	
Panorama Cafe – Canadian Museum of History	
8:00	Arlo Hotel - Bus Pick up – meet out front
8:15	Rideau Hotel – Bus Pick up – meet out front
8:30	Registration and Breakfast (provided) Slido.com – Event #2024NCRW
9:00	Welcome/Opening Prayer – TBC Welcoming Remarks- TBC Review of Agenda for the day – Jody Woods Slido Engagement Overview – Morgan Chapman
9:15	<p>Researching Pre-Confederation Claims</p> <p align="right">Moderator: Shannon Williams</p> <p>Pre-confederation Claims present unique challenges. This panel is intended to explore Claims that are in research, and those that have successfully settled (both through the Tribunal and Negotiations).</p> <ul style="list-style-type: none"> Madawaska Maliseet First Nation’s recent pre-Confederation land claim settlement – Chief Patricia Bernard will share the story of her community’s land claim, their experience with the Specific Claims Tribunal, and the \$145 million settlement of their claim in 2021. <i>Chief Patricia Bernard, Chief of the Madawaska Maliseet First Nation, New Brunswick</i> No’kmaq Village Land Use and Occupancy claim – Calvin White and Kim Long will discuss the Flat Bay Band’s research and advocacy for recognition as a band under the <i>Indian Act</i> and the unique challenges they face as a First Nation in Newfoundland. <i>Calvin White and Kim Long, Flat Bay Band, Newfoundland</i>
10:30	HEALTH BREAK
10:45	<p>Understanding Ongoing Harms</p> <p align="right">Moderator: Judy Wilson</p> <p>This panel will explore how Canada's historical dispossession of Indigenous lands created ongoing harms which are not currently compensable. These harms are profound and have resulted in loss of intergenerational transfer of traditional knowledge, culture, and language, and loss of identity. Ongoing harms also include the continuing harms to community members' health, safety and environment arising from Canada's wrongdoing (e.g. toxic dust from trains, safety concerns from highways etc.)</p> <ul style="list-style-type: none"> Ongoing harms experienced by Nlaka’pamux communities – many Nlaka’pamux communities are located along the steep, narrow canyons of the Fraser and Thompson rivers, and railways and highways now cut through these communities. Sherry McIntyre will discuss her community’s experience of the ongoing harms resulting from these takings from their lands. <i>Sherry McIntyre, Skuppah Band Councillor /Nlaka’pamux Nation Tribal Council, BC</i> Nishnawbe Aski Nation ongoing harms - Luke Hunter will share Nishnawbe Aski communities’ experience with takings of land, ongoing flooding from hydro projects, and the impacts on fisheries and harvesting. <i>Luke Hunter, Director of Governance and Treaty Implementation, Nishnawbe Aski Nation, Ontario</i>
12:00	LUNCH
1:00	<p>Technical Presentation/Workshop – Transcription 101</p> <p align="right">Moderator: Morgan Chapman</p> <p>Join us for a live, collaborative panel to walk through a transcription of a hard-to-read handwritten document – sent in by you!</p>

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1:30	<p>NOTE: CHANGE Fireside Chat with Allison Knight, Senior Director of Investigations, Office of the Information Commissioner</p> <p align="right">Moderator: Morgan Chapman</p> <p>On behalf of Canada’s Information Commissioner, Caroline Maynard, the OIC’s Allison Knight, Senior Director, Investigations, is joining us for a “fireside chat” about Access to Information issues in Canada. Reporting to Parliament, the Office of the Information Commissioner investigates complaints about how federal institutions process and respond to requests under the <i>Access to Information Act</i>, Canada’s freedom of information legislation.</p>
2:00	<p>Researching Women and Claims</p> <p align="right">Moderator: Judy Wilson</p> <p>This panel will explore the unique and underrepresented experiences of women and specific claims. In this panel, Dr. Sarah Hunt will provide a brief overview and update on the work of the BC Specific Claims Working Group to better understand and include the experiences of Indigenous women in the specific claims process. We will hear a couple of community examples. Jessie Hemphill, from Sanala Planning, Inc will share for feedback some draft materials and tools, created for the BCSCWG, that can be used by First Nations and others, to build a shared understanding of these historic and ongoing impacts. Finally, Heather Burton from the Specific Claims Branch and Amanda Fletcher from the CIRNAC GBA+ Centre for Excellence will provide an overview of IGBA Plus and highlight some of the challenges with monitoring and tracking IGBA Plus data in the context of specific claims.</p> <ul style="list-style-type: none"> • Overview and update on the BCSCWG’s work on women and claims - <i>Dr. Sarah Hunt / Tłaliłila’ogwa Associate professor & Canada Research Chair, Indigenous political ecology, University of Victoria</i> • Family Experiences Protecting Land through Women’s Authority and Jurisdiction. <i>Shelly Martin Council of Mainland Mi’kmaq, Nova Scotia.</i> • Overview of Kitchen Table Guides. <i>Jessie Hemphill, CEO, Sanala Planning Inc.</i> • Gender- Based Analysis Plus & Specific Claims. <i>Heather Burton, Policy Analyst, SCB and Amanda Fletcher, Manager, CIRNAC Manager GBA Plus Centre of Excellence Manager, Indigenous and External Relations Branch, Crown-Indigenous Relations & Northern Affairs Canada</i>
3:30	<p>“Applying the Minimum Standard - Optional for the Crown?”</p> <p align="right">Moderator: Laurie LeClair</p> <p>The minimum standard was developed by Canada so that the supporting documentation for specific claims being filed would be “court-ready”. But there have been problems with its implementation. At SCB, the minimum standard has sometimes been applied arbitrarily and overzealously to incoming claims. On the other hand, at the Specific Claims Tribunal (SCT), DOJ lawyers appear to view it as merely a suggestion that need not be applied. In both cases, the defendant’s approach to the minimum standard costs First Nation claimants time and money, both of which are in short supply, and negatively impact relations. In this panel, Peter Di Gangi will give a short presentation, identifying some issues that have been identified with respect to document production by the Crown at the SCT, and the impacts of this conduct on the Tribunal process. It will explore who is responsible for seeing that the minimum standard is applied even handedly and consistently - at SCB and at the SCT and what can be done to obtain compliance with the MS and to promote best practices.</p> <ul style="list-style-type: none"> • Crown conduct, the minimum standard, and document production at the SCT. <i>Peter DiGangi, Sicani Research & Advisory Services</i> • Specific Claims Branch – updates on the Minimum Standard. <i>Marie-Laurence Daigle, Director, Research and Assessment Directorate Specific Claims Branch</i> • Canada’s Adherence to the Minimum Standard at the Tribunal. <i>Eric Gingras, General Counsel, Department of Justice</i>
4:30	ADJOURNMENT

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Day 1 – November 5

Panorama Cafe – Canadian Museum of History

Meet and greet (and US Election Coverage!) at the Bytown Museum – Limited Space - Dinner provided.

6:00

The Museum is located near the Ottawa Locks on the Rideau Canal, between Parliament Hill and the Chateau Laurier Hotel, a picturesque UNESCO World Heritage Site. Nestled at the Ottawa Locks Canal, the Bytown Museum offers a breathtaking view of the canal and its surroundings, bridging history and nature in an unforgettable scenic setting.



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Day 2 – November 6	
Panorama Cafe – Canadian Museum of History	
8:00	Arlo Hotel - Bus Pick up – meet out front
8:15	Rideau Hotel – Bus Pick up – meet out front
8:30	Registration and Breakfast (provided) Slido.com – Event #2024NCRW
8:45	Welcome/Opening Prayer – TBC Review of Agenda for the day – Jody Woods Slido Engagement Overview – Morgan Chapman
9:00	<p>Updates on Specific Claims Policy Reform and the Effort to Establish an Independent Centre Moderator: James Lasaga</p> <p>This panel will provide space for Canada and the Assembly of First Nations to report out on the transformative policy changes called for by First Nations and the ongoing efforts to establish an Independent Centre. This will also be an opportunity for the AFN and Canada to hear directly from you. The National Claims Research Directors (NCRD) will report back on the outcome of the May 2024 engagement at the Research Directors Meeting & it will equally allow First Nations to report back on Canada’s political engagement on this important work.</p> <ul style="list-style-type: none"> • Updates on Claims Reform and the Creation of an Independent Process <ul style="list-style-type: none"> ○ Specific Claims Branch. <i>François Routhier, Director, Policy and Litigation Management, Specific Claims Branch, Resolution and Partnerships Sector, Crown-Indigenous Relations and Northern Affairs Canada</i> ○ Assembly of First Nations. <i>Tonio Sadik, Senior Director, Environment, Lands and Waters Branch, Jesse Donovan, A/Director, Lands Sector, Branden Trochymchuk, Policy Analyst, Lands Sector</i> • “Compounding Original Harms” National Claims Research Directors Feedback on the Specific Claims Process, the Urgent Need for Reform, and the Creation of an Independent Centre . Overview of submission. <i>Johanna Reid, Project Researcher, Union of BC Indian Chiefs BC Specific Claims Working Group</i> • Report Card on Political Engagement <ul style="list-style-type: none"> ○ Engagement with BC Chiefs. <i>Chief Dalton Silver, Chair, BC Specific Claims Working Group and Jody Woods, BC Specific Claims Working Group</i> ○ Engagement with Mohawk Council of Kahnawà:ke. <i>Francis Walsh, Legal Counsel, Mohawk Council of Kahnawà:ke</i> ○ Engagement with Nishnawbe Aski Nation. <i>Luke Hunter, Director of Governance and Treaty Implementation, Nishnawbe Aski Nation, Ontario</i>
11:00	HEALTH BREAK

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Day 2 – November 6 Panorama Cafe – Canadian Museum of History	
11:15	<p>Indigenous Laws and Researching and Resolving Claims</p> <p align="right">Moderator: Judy Wilson</p> <p>The recognition of Indigenous laws, legal orders, and dispute resolution mechanisms is a key component of an independent and effective specific claims process. The <i>UN Declaration on the Rights of Indigenous Peoples</i> confirms Indigenous peoples right to fair, independent process, and in the UN Declaration Act Action Plan, Canada specifically committed to co-developing fundamental reforms of the specific claims program. This panel will consider how the AFN is approaching the incorporation of Indigenous laws in a reformed specific claims process. Specifically, it will examine how is how researchers can contemplate and include Indigenous Laws in the identification, research and development of their claims and consider how images, art, language and storytelling can inform the resolution of specific claims.</p> <ul style="list-style-type: none"> • Council of Experts on Indigenous Laws. <i>Stephen Augustine, Hereditary Chief and Keptin, Mi'kmaq Grand Council, and member of the AFN Council of Experts on Indigenous Laws (CEIL)</i> • Video Interview from <i>Our Laws Arise from the Land – Oral History as a Source of Law</i>. <i>Nigel Baker-Grenier</i> • Alternate sources of Evidence to support Claims research: <ul style="list-style-type: none"> ○ Images in Specific Claims: A Visual Approach to Research. <i>Alexa Heenan, Research Coordinator, HCG</i> ○ “Always Go Back to the Stories: Mi'kmaw stories and legends as evidence”. <i>Mercedes Peters, Sharing Our Stories Coordinator, Mi'kmawey Debert Cultural Centre</i>
12:30	LUNCH
1:15	<p>Technical Presentations – Research Tools and Resources</p> <p align="right">Moderator: Morgan Chapman</p> <p>In this session Michelle Rydz from the HBC Archives will provide an overview of HBC's role in the administration of land in the post-Confederation era. The finalization of the Deed of Surrender in 1924, HBC's farm land sales, and the management of land around HBC's land reserves, posts and stores will be touched on. How these records are organized, what they document and how to find them will be discussed. Following this, Jason Friedman from the Canadian Research Knowledge Network will provide an update on progress to date with the CRKN-LAC RG10 ICR Pilot Project. Additionally, he will talk about Canadiana's ongoing platform development work including forthcoming discoverability and viewer improvements as well as outline CRKN's user-focused development approach.</p> <ul style="list-style-type: none"> • The Hudson's Bay Company and the Administration of Land after 1870. <i>Michelle Rydz, Archivist, Hudson's Bay Company Archives</i> • Canadiana/Héritage Update on the CRKN-LAC RG10 ICR Pilot Project. <i>Jason Friedman, Senior Manager, Heritage Services, Canadian Research Knowledge Network (CRKN)</i> • The Morrison General Store Record Haul. <i>James Lasaga, Specific Land Claims Research Manager Department of Governance, Confederation of Mainland Mi'kmaq</i>
2:00	<p>Settled Claims – Redress, Implementation, and UNDRIP</p> <p align="right">Moderator: Brenda Gaertner</p> <p>In addition to looking at new potential ways to provide settlement for Specific Claims, we wish to explore how settlements are being implemented and intangible remedies, including apologies.</p> <ul style="list-style-type: none"> • Williams Lake Indian Band Village Site Specific Claim. <i>Chief Willie Sellars (remote)</i> • Historic Settlement of Esk'etemc Water Rights Specific Claim. <i>Kukpi7 Fred Robbins</i>
3:15	<p>Adjournment</p> <p>Tours:</p> <ul style="list-style-type: none"> • Canada Museum of History • Library and Archives Canada Preservation Centre

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Day 3 – November 7	
Panorama Cafe – Canadian Museum of History	
8:00	Arlo Hotel - Bus Pick up – meet out front
8:15	Rideau Hotel – Bus Pick up – meet out front
8:30	Registration Slido.com – Event #2024NCRW
9:00	Welcome/Opening Prayer – TBC Welcoming Remarks- TBC
9:15	Discussion - Navigating Change This will be a facilitated discussion touching on important issues to the longevity of Claims research. We will explore how we carry out our work in the context of change (staffing, disaster (climate, pandemic), emergencies, policy changes, funding, changes, chief and council changes and mandate changes). At the conclusion of our discussion, we will invite SCB/CSI to address the subjects of this discussion. <ul style="list-style-type: none"> • Changes at CRUs – how can the research administration community support new directors and managers? • Researcher turnover – How can researchers prepare transitioning out of their role / how can CRUs and First Nations prepare for and address problems arising from this transition? • SCB/CSI - how can Canada work the CRUs / First Nations to better communicate internal staff and procedural transitions or manage change? • What are the implications for an Independent Centre? <p align="right">Facilitator Morgan Chapman</p>
10:45	HEALTH BREAK
11:00	Continued Challenges with Access to Information This panel will include an update on advocacy efforts to date and provide an opportunity for the ATIP team from Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to share what it is doing to address these challenges; and the Access to Information Policy and Performance Division at TBS to inform of their engagement work and ongoing efforts to advance Indigenous Data Sovereignty. <ul style="list-style-type: none"> • General Access to Information Update. <i>Robyn Laba, Union of BC Indian Chiefs (remote)</i> • Engagement efforts and Indigenous Data Sovereignty. <i>Charles Taillefer (Executive Director, Access to Information Policy and Performance Division) Treasury Board Secretariat</i> • Access to Information and Privacy at CIRNAC. CIRNAC team will discuss access to information processes, challenges, and developments at CIRNAC. <i>Errol Melancon (A/Director, Access to Information and Privacy) and Claudine Lefebvre (Senior Manager, Information Management Operations.)</i> <p align="right">Moderator: Shannon Williams</p>
12:00	LUNCH
1:00	Technical Presentations – How to prepare an informal ATI request vs a formal ATI request Session description to follow <p align="right">Moderator: Steve Talbot</p>
1:30	Algonquin Claims Steve Talbot will discuss the unique challenges involved with Algonquin communities’ pre-Confederation claims. <i>Steve Talbot, Algonquin Nation Secretariat, Ontario and Quebec</i>
2:15	HEALTH BREAK

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Day 3 – November 7 Panorama Cafe – Canadian Museum of History	
2:30	<p>Updates from the Specific Claims Funding Division (CSI)</p> <p align="right">Moderator: Jody Woods and Morgan Chapman</p> <p>This session will provide CSI an opportunity to share any updates on research funding and to hear from delegates. We hope you will encourage all funding officers to attend the workshop in its entirety to help build relationships with our delegates and to learn about our challenges and successes.</p> <ul style="list-style-type: none"> • <i>François Lévesque-Perreault, Director Cross Sector Initiatives, Resolution & Partnerships, Sector, Crown Indigenous Relations and Northern Affairs Canada</i>
3:15	<p>Updates from the Specific Claims Branch and Overview of SCB Draft Research Guide</p> <p align="right">Moderator: Jody Woods</p> <p>During this session we hope SCB will provide any additional updates, share news about staffing, new tools and resources and provide an overview, for feedback, of the draft research guide that SCB prepared.</p> <ul style="list-style-type: none"> • Updates from SCB. <i>Stefan Matiation (TBC)</i> • Overview of SCB Research Guide. <i>Marie-Laurence Daigle, Director, Research and Assessment Directorate Specific Claims Branch</i>
4:15	<p>Door Prizes and Adjournment</p>
4:30	<p>Research Directors Meeting</p>
- 4:45	<p>Research Directors, please stay for an additional 15 minutes to address any urgent items and to select a host for the 2025 National Claims Research Workshop. If you are considering hosting, please let the planning committee know.</p>

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