

Specific Claims Policy Reform

2015-2025

2015

FIVE-YEAR LEGISLATED REVIEW OF SPECIFIC CLAIMS PROCESS

AFN conducts National shadow review to ensure more comprehensive review of "Justice At Last" is taken.

2016

OAG REPORT ON SPECIFIC CLAIMS

[Report of the Office of the Auditor General](#) (November 2016) found systemic mismanagement of specific claims and many barriers to access to justice for First Nations.

The OAG made 10 recommendations; INAC agreed with all of them.

2017-2022

AFN ENGAGEMENT

Goal: A fully independent process.

AFN starts engagement with First Nations across Canada to address the Auditor General's recommendations.

AFN works with Canada at the Joint Technical Working Group (JTWG) to engage with First Nations across Canada and develop an approach to reform.

Based on feedback from First Nations, the AFN starts to explore options for an independent process.

BCSCWG Submissions to the Joint Process:

1. [On a Human Rights Foundation](#) (July 2017)
2. [The Work Ahead](#) (Dec. 2019)

Other BCSCWG Reports & Submissions

3. [Litigation as Usual? Reforming Canada's Conduct at the Specific Claims Tribunal](#) (2018)
4. [A New Way Forward: Incorporating Indigenous Laws and Legal Orders into Specific Claims Processes](#) by Ardith Walkem (2018)
5. [A New Claims Backlog: Canada's Failure to Meet the Legislated Three-Year Deadline](#) (2018)
6. [Back to the Backlog: Canada's Inaction on Late Specific Claims Assessments](#) (2019)
7. [Canada's Conduct at the Specific Claims Tribunal & the Need for Reform](#) (2019)
8. [The Impacts of Bill C-58 on First Nations' Access to Information](#) (NCRD & UBCIC) (2019)
9. [The Impacts of the Reserve Creation Process on Indigenous Women](#) by Dr. Sarah Hunt (2021)
10. [Submission to the Special Committee to Review the BC Freedom of Information and Privacy Act](#) (2022)
11. [Full Disclosure: Canada's Conflict of Interest in Controlling First Nations' Access to Information](#) (NCRD & UBCIC) (2022)
12. [Submission to the House of Commons' Standing Committee on Access to Information, Privacy and Ethics \(ETHI\) Regarding Its Study of the Access to Information Act](#) (2022)

November
2022

LAUNCH OF JOINT PROCESS TO CREATE AN INDEPENDENT CENTRE

In November 2023, [Canada and the AFN hold a public ceremony](#) to launch the joint work to create an independent process via the "Specific Claims Implementation Working Group" (SCIWG).

2023-2024

DEVELOPING THE INDEPENDENT CENTRE

Key ideas: Fully independent process, recognition and integration of Indigenous laws

The AFN develops a [proposal for an Independent Centre for the Resolution of Specific Claims](#).

The AFN creates the [Council of Experts on Indigenous Laws](#) (CEIL) (2023)

BCSCWG Reports

1. [Submission to the House of Commons Standing Committee on Indigenous and Northern Affairs Restitution of Land to First Nations, Inuit, and Metis Communities](#) (2023)

2. [Land Back: The Restitution of Land Policy in Specific Claims Reform](#) by Dr. Shiri Pasternak (2023)

3. [Severed Connections: The Unacknowledged Costs of Specific Claims](#) (2023)

2024

AFN-CANADA JOINT DISCUSSION PAPER

Key issues: Cultural losses & ongoing harms, advance payments, land return

April: The AFN and Canada share their joint discussion paper: [Proposed Independent Centre for the Resolution of Specific Claims](#). Canada initiates engagement with First Nations on this proposal.

May: The Minister recognizes that the timeline for passing legislation within this government's mandate has run out. Nevertheless, in public, Canada maintains that it is committed to the process and continues engagement with First Nations.

July: The AFN passes a resolution focusing on policy reform instead of the independent process ([#12/2024](#)). Key issues: advance payments, cultural losses & ongoing harms, the cap.

September: BCSCWG leads an engagement session with BC Nations

BCSCWG Submission to the Joint Process
[Addressing the Full Scope of Harms](#)

2025

POLITICAL CHANGE

January 6: Trudeau announces that he will resign as Prime Minister; Parliament is prorogued (until [March 24, 2025](#))

March 9: Mark Carney elected leader of the Liberal Party (sworn in on March 14)

Canada and the AFN stop work on the Independent Centre, focusing instead on "policy reform." Canada makes no public announcement.

The "Specific Claims Implementation Working Group" is renamed, back to the "Joint Technical Working Group." It is the mechanism to facilitate discussion between the AFN and Canada. The JTWG is currently not meeting.

2025

GENERAL ELECTION 2025

Election April 28, 2025