



Specific Claims Overview: Current status and reform

Our Gathering – May 16, 2023

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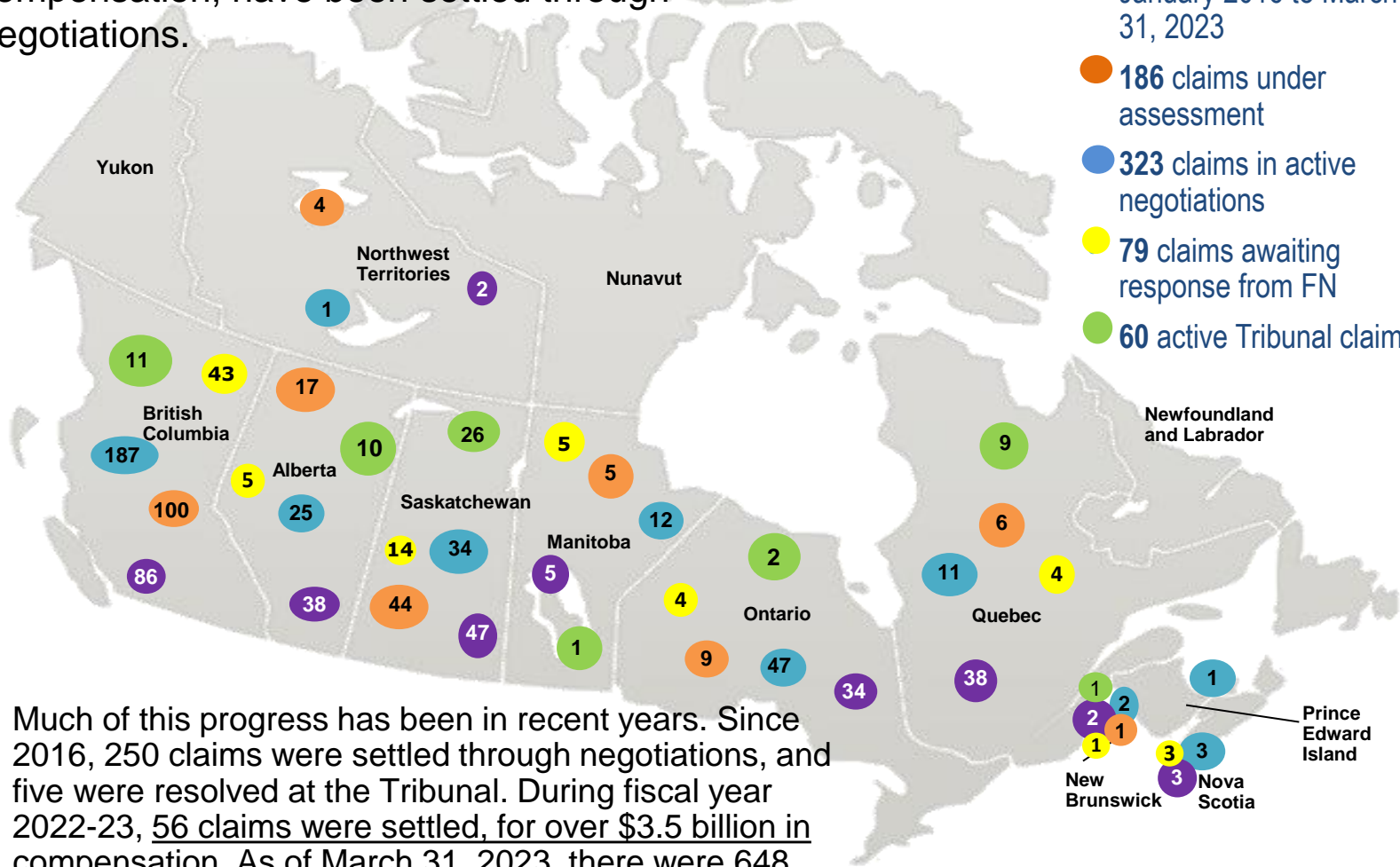


Specific Claims Inventory as of March 31, 2023

- Since the program began in 1973 to March 31, 2023, 660 claims, totaling close to \$12.5 billion in compensation, have been settled through negotiations.

Legend:

- 255 claims resolved from January 2016 to March 31, 2023
- 186 claims under assessment
- 323 claims in active negotiations
- 79 claims awaiting response from FN
- 60 active Tribunal claims



Much of this progress has been in recent years. Since 2016, 250 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 March 31, 2023, there were 648 claims in the Specific Claims inventory.





British Columbia Specific Claims

- Claims from British Columbia First Nations account for roughly half of the specific claims inventory
- Majority of claims relate to the reserve creation process, land-related matters, colonial reserves and transportation corridors
- Experimenting with approaches in BC to accelerate claims resolution:
 - Global settlements
 - Use of mediator or facilitator
 - Exploring a more consistent approach to village site claims
- 5 Treaty 8 TLE claims settled between February-April 2023
- 18 settlements in FY 2022-23, for \$913 million in compensation





Improving the Specific Claims Process

- Adopting a more collaborative approach with First Nations during claims assessment
 - connecting earlier in the process
- Making the process more efficient
 - bundling claims
 - framework approaches when warranted
 - improving internal processes
- 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
 - mediation, facilitation and a resource hub for First Nations





Reform Process

- Canada and AFN announced the creation of the Specific Claims Implementation Working Group (SCIWG) to co-develop options for the Centre on November 3, 2022.
- SCIWG meets regularly, discusses functions of the Centre, such as:
 - Intake of new claims
 - Funding to First Nations (for research, negotiation, litigation)
 - Support the negotiation process, provide facilitation and mediation services
 - Further the inclusion of Indigenous laws and customs in the settlement process
- The AFN conducted extensive engagement across Canada when developing a proposal for an Independent Centre for the Resolution of Specific Claims.
 - The proposal is available on the AFN's website:
<https://www.afn.ca/specific-claims-policy-reform/>
- Canada will also engage with First Nations throughout the reform process. We welcome your views!
- The reforms will not impact existing claims.





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Come by our booth if you have questions or want to share ideas.

I can also be reached at:

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Thank you

