



Timiskaming, Wolf Lake and Eagle Village First Nations
6A Kateri Street, Timiskaming Reserve
Notre-Dame du Nord, QC
J0Z 3B0
Telephone: 819-723-2019

BY FAX : 819-953-4941
AND BY E-MAIL: carolyn.bennett@parl.gc.ca

The Honourable Carolyn Bennett, P.C., M.P.
Minister of Indigenous and Northern Affairs Canada
Minister's Office, 10 Wellington St
Gatineau, Quebec K1A 0H4

BY FAX : 613-990-7255
AND BY E-MAIL: Jody.Wilson-Raybould@parl.gc.ca

The Honourable Jody Wilson-Raybould, P.C., M.P.
Minister of Justice and Attorney General of Canada
Department of Justice Headquarters
284 Wellington Street
Ottawa, Ontario K1A 0H8

December 18, 2015

Dear Ministers Bennett and Wilson-Raybould:

Re: Adverse Impacts of the Algonquins of Ontario Agreement-in-Principle (AOO-AIP) on Aboriginal Rights and Title of Timiskaming, Wolf Lake, and Kebaowek Anicinabe (Eagle Village) First Nations

On behalf of the Algonquin First Nations of Timiskaming, Wolf Lake, and Eagle Village (Kebaowek Anicinabe), we want to congratulate you on your election and on your appointment as Ministers in the Government of Canada. We look forward to working with you on the very progressive policy agenda that your government has put forward for Indigenous Peoples. Our First Nations share your government's commitment to renewal of the nation-to-nation relationship, grounded in the Royal Proclamation of 1763 and Treaty of Niagara of 1764, which have special meaning for and application to Algonquin Peoples.

We are hoping that the commitment to renewal of the nation-to-nation relationship will signal a willingness, and form the basis on which your government is prepared to address our concerns regarding overlaps with the claim addressed in the Algonquins of Ontario Agreement in Principle (AOO-AIP). While we agree that First Nation rights-holders ought to be able to engage nation-to-nation with the Crown to deal with their own rights and title interests in the manner that they wish, when the rights of other First Nations are potentially adversely affected, nation-to-nation protocols ought to be observed and precautions exercised to ensure that the rights of others are not inadvertently adversely affected.

Our traditional territories straddle both sides of the Ottawa River, and include lands in what is now Ontario and Quebec. Our First Nations have never signed a land cession treaty and we assert unextinguished Aboriginal rights and title to our traditional territories. Indeed, our territories lie within lands reserved by the Crown as “Indian Territory” in the Royal Proclamation of 1763.

There is considerable overlap between our asserted Aboriginal rights and title area and the territory covered by the AOO-AIP. We are especially concerned because the AOO-AIP is set to go to a ratification vote from February 29 to March 7, 2016, and to date, there have been no meaningful efforts by the Crown to address our rights and interests on a nation-to-nation basis. This is not for want of trying on our part. Canada has been aware of potential overlaps between our territories and those covered by the AOO claim since at least 1994. In the years following, as additional evidence has been gathered, we have periodically raised this matter with Canada and Ontario, to no avail.

In January 2013, our First Nations filed a Statement of Asserted Rights (SAR) with the governments of Canada, Ontario and Quebec. The SAR provides ample evidence of our continuing Aboriginal title and rights, including maps and supporting documents identifying the territory over which we assert those rights, in both Ontario and Quebec. Most recently, we wrote to your predecessors by way of letter dated July 21, 2015, and identified a number of significant issues of concern with respect to the AOO Preliminary Draft AIP (as it then was). We have still not received a reply to that letter, a copy of which is attached.

We are advised that some changes have been made to the AOO-AIP to respond to our concerns, but we were never consulted on those changes. And in any event they do not respond adequately to our concerns, nor do they respect the nation-to-nation relationship.

We appreciate, as stated in the AOO-AIP, that even if ratified, the document will still not be legally binding. On the other hand, we also know that the AIP will set out the parameters for the Final Agreement and, once in place, it will be difficult to deviate from the AIP. That is why our concerns need to be dealt with now, before a ratification vote on the AIP takes place. If the AOO-AIP vote goes ahead without our legitimate concerns being addressed, we want to make it

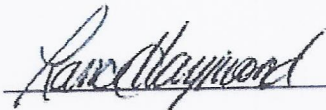
clear that we will not be bound by the results. The parties to the negotiations are therefore taking a substantial risk if it is later realized that major changes are required to meet our concerns. Will the parties have the latitude to make these changes? Will you have to put the changes to another ratification vote?

We look forward to your earliest response and hope we can resolve the issue of our overlaps in respectful manner consistent with the nation-to-nation relationship.

Respectfully,



for / Chief Terence McBride, Timiskaming



Chief Lance Haymond, Kebaowek Anicnabe
(Eagle Village)



Chief Harry St. Denis, Wolf Lake

c.c.: Hon. David Zimmer
Minister of Aboriginal Affairs, Ontario
BY FAX: 416-314-2701
AND BY EMAIL: david.zimmer@ontario.ca