

ALGONQUIN FIRST NATIONS SAY "ALGONQUINS OF ONTARIO" CLAIMS PROCESS IS A VIOLATION OF THEIR RIGHTS

For Immediate Release. Ottawa, Unceded Algonquin Territory, Thursday March 3, 2016.

The Chiefs of four Algonquin First Nations met in Ottawa today to declare that the “Algonquins of Ontario” (AOO) land claims process is a violation of their members’ rights. The AOO claim has reached the Agreement in Principle (AIP) stage and is now being voted on, despite years of protests by other Algonquin First Nations. The Chiefs of Kebaowek (Eagle Village), Timiskaming, Kitigan Zibi and Barriere Lake joined together to express unity in opposition to the AOO claims process. They are also carrying this message on behalf of the Algonquins of Wolf Lake.

“We have two immediate concerns about the AOO process”, said Chief Lance Haymond of the Kebaowek First Nation. “The first is that it ignores the Aboriginal title and rights of our communities. Kebaowek, Wolf Lake and Timiskaming alone have almost 900,000 acres of overlap with the AOO claim, but Canada and Ontario have refused to address our interests. We have been told that the AIP will not affect our rights, but that is not true: my members today are prevented from exercising their rights to harvest because of the AOO process. The AOO is selecting lands inside of our Aboriginal title territory. All of these things are diminishing our rights - even before the AIP has been voted on”.

Chief Terence McBride of Timiskaming continued, “The other major concern we have about the AOO process is that the enrolment criteria are so loose, they allow thousands of individuals who have no connection to the Algonquin nation to vote on an agreement that will modify or extinguish Algonquin rights. We have analysed the AOO voters list and at least 39% of the voters have not had any intermarriage with Algonquins for 200 to 300 years. How can anyone say that these individuals are members of the Algonquin nation and entitled to vote on a land claim? It’s a scandal.”

The Royal Proclamation of 1763 was issued in part to prevent “frauds and abuses” from being perpetrated on First Nations. It laid out a treaty process to ensure that First Nation lands were only shared by way of free and informed prior consent. Contrary to this promise, the lands of the Ottawa Valley were taken up without any treaty and without compensation. Today there is a chance to change this history, but it appears that the AOO claims process may only be a continuation of the frauds and abuses that the Royal Proclamation was intended to prohibit.

The Chiefs are very concerned that the federal government has refused to answer their calls for action on this issue. Despite the Trudeau government’s commitment to a fresh start and renewing the nation to nation relationship, Canada’s conduct on the AOO claim is just a continuation of the Harper government’s policies. “We call on the Prime Minister to instruct his Ministers to act honourably and change course before it’s too late”, said the Chiefs.

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BACKGROUNDER

Traditional Algonquin territory straddles the Ottawa River watershed on both sides of the Ontario - Quebec border. There are ten federally recognized Algonquin communities - one in Ontario and nine in Quebec. At least five of these communities assert Aboriginal title in Ontario, and most or all of them assert some form of Aboriginal rights.

In 1991-92, Canada & Ontario began negotiating a land claim solely with the Algonquins of Golden Lake (now Pikwakanagan) to deal with Algonquin title on the Ontario side. Over the years, they have expanded the definition of who is entitled to participate in these negotiations, to the point where Pikwakanagan is now outnumbered by nine groups made up of mostly unregistered individuals who claim some Algonquin ancestry or connection. These negotiations are at the Agreement in Principle (AIP) stage, with a vote now underway. Out of the 7,714 people on the AOO voters' list, some 3,016 voters (39%) have had no intermarriage with anyone of Algonquin ancestry for 200, and in some cases over 300 years. At least hundreds more have had no intermarriage with anyone of Algonquin ancestry for between 100 and 200 years. In contrast, the registered members of Pikwakanagan make up less than 10% of the voters list. These large numbers of "instant Algonquins" undermine the legitimacy of the AOO negotiations and threaten the interests of legitimate rights-holders.

Under the proposed agreement, the AOO would surrender Algonquin rights to approximately 3.6 million hectares in eastern Ontario, including Parliament Hill. In return, undefined "Algonquin institutions" would receive 117,500 hectares of provincial Crown lands and \$300 million in cash (about \$0.012 per hectare for surrendered lands), as well as specified wildlife harvesting rights and participation in natural resource management. Pikwakanagan would cease to be a reserve within the meaning of the Indian Act.

Canada, Ontario and Pikwakanagan have been advised many times that the AOO claim negatively affects the rights and interests of other Algonquin communities, but so far they have refused to address these concerns. In 2013, the federal and provincial governments received a Statement of Asserted Rights to lands in Ontario from Kebaowek (Eagle Village), Timiskaming & Wolf Lake First Nations, who together have an overlap of over 855,000 acres with the AOO. In 2011, the federal and provincial governments were informed by Kitigan Zibi Anishinabeg First Nation, whose reserve in Quebec is adjacent to Maniwaki, that it also claims lands in Ontario. The AOO AIP will lead to a surrender of Algonquin rights and title to the same lands in eastern Ontario over which Kebaowek, Timiskaming, Wolf Lake & Kitigan Zibi assert Aboriginal rights.

The governments of Ontario and Canada have a legal duty to consult and accommodate the Algonquin communities who assert an interest in the AOO claim area. So far, they have refused to consult in a meaningful way, let alone accommodate. This is in breach of their legal duties to the Algonquin people, and a blot on their record.