



## SPECIFIC CLAIMS

### OVERVIEW

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For decades First Nations have expressed concern with Canada's ongoing management of the specific claims process, culminating in 2016 with the conclusion of the 5-year review of the *Specific Claims Tribunal Act* and the release of the Office of the Auditor General (OAG) report which found that Canada had failed to meet the goals of *Justice at Last: A Specific Claims Action Plan* (JAL).

Responding to both the 5-year review and the OAG report, the Minister of Crown Indigenous Relations and Northern Affairs (CIRNA) committed to work with First Nations and the Assembly of First Nations (AFN) to address their concerns.

In late 2016, AFN and Canada formed a Joint Technical Working Group (JTWG) with a mandate to examine the specific claims process and develop joint recommendations for change. The JTWG has been meeting consistently over the past year and a half.

In 2017, AFN hosted two dialogue sessions with First Nations, one in Ottawa and one in Vancouver. The message that came out of these sessions reflected what First Nations have said consistently over time: Canada's ongoing management and control of the specific claims process constitutes a conflict of interest which can only be addressed through independent oversight.

During the fall of 2017, the AFN Chiefs-in-Assembly passed Resolution 91/2017, "*Support for a Fully Independent Specific Claims process*", calling for the creation of an independent specific claims process and support for the work of the JTWG.

### UPDATE

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Crown-Indigenous Relations and Northern Affairs (CIRNA) officials require a mandate to begin substantive engagement, through the

JTWG, with First Nations on an independent process. It is hoped that they will receive such a mandate for the 2018-19 fiscal year.

### NEXT STEPS

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AFN will continue to press for an independent specific claims process at the JTWG and through other forums, while also preparing for

substantive engagement efforts with First Nations on an independent process in 2018-19 subject to a federal commitment.