

Community Notice: Robinson Huron Treaty Past Annuities Settlement

June 17, 2023

Since 2012, the Robinson Huron Treaty Litigation Fund, representing the 21 Robinson Huron First Nations, has been in litigation with the governments of Ontario and Canada for failing to increase annuities payments as the resource revenue in the Treaty territory grew.

Today, Council and I are extremely honoured to share that we have reached a proposed settlement to resolve claims related to past annuities – compensation that should have been paid for the past 170 years. The proposed settlement includes \$5 billion from Canada and \$5 billion from Ontario for a total global \$10 billion for past compensation paid to the 21 First Nations.

Our Treaty is based on a nation-to-nation relationship and conferred rights on the settlers that came to our territories, not to us. I am proud to be a part of the Nishinaabe Nation and I am so incredibly proud of what our ancestors did for us when they negotiated the treaty and I sincerely hope they would be proud of us all now.

This proposed settlement is a major milestone in the process and a chance to renew our treaty relationship – while also finally providing the compensation that makes it possible for the Robinson Huron First Nations to invest in a brighter future for their communities and grow the local economies in the Treaty territory.

With this proposed settlement, it is important to note that it is for past compensation. The Crown will continue to distribute \$4.00 to beneficiaries until an agreement is reached on the future implementation of the Augmentation Promise. The go-forward approach to resource revenue sharing and annuities will be negotiated after the finalization of the past compensation agreement.

As the next step, we will begin a community engagement process with support of the Robinson Huron First Nations and Mizhinawe, an organization constructed by the RHT Litigation Management Committee to support us through this engagement process. This will begin over the course of the summer and will provide an opportunity to engage with beneficiaries to share more information and answer questions about the proposed

settlement. Following these consultations, a report of findings and recommendations will be presented to the Robinson Huron Chiefs and Trustees within the next 8 months.

We are a Nation, and its important hear from you. Now is the time to tell us about your visions for the future of NFN. Now is the time to consult with you and determine a path forward together in line with the principles of the Treaty and our Gchi-Naaknigewin.

For more information on upcoming consultations, stay connected to NFN:

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The Governments of Ontario and Canada will also need to complete their own internal approval processes to seek approval to sign the proposed settlement.

As with any negotiation process, there remains a risk that there may not be a final agreement. We ask for your patience once again as we venture into these next steps.

When the case is finally resolved, each of the 21 First Nations will get a share of the proceeds from the past compensation amount. The collective nature of the annuity requires funding and investment for community development and to ensure a bright future for generations to come. There is also an individual component to the annuity and the First Nations will distribute this money to individuals. This amount has not yet been determined.

The compensation will be distributed to the leadership of the 21 First Nations based on a distribution agreement adopted by First Nation Chiefs and Councils. The First Nations will be responsible for determining distribution amounts to individual beneficiaries through a community process.

In acknowledging the spirit and intent of the treaty, 100 per cent per capita distribution is problematic for many reasons and goes against the intentions of our ancestors. Our approach needs to not only honour our ancestors but support current and future generations. It will be important that we carry out these discussions in a healthy and respectful way, as a Nation. We cannot forget that the treaty responsibility has been passed onto us.

At this point, the final agreement has not been signed. Until such a time, we will proceed cautiously and use this time to consult with our members and plan together. We need your help and I look forward to hearing from you.

A history of the Robinson Huron Treaty Annuities

Prior to the Robinson Huron Treaty signing in 1850, our ancestors, the Chiefs at the time, knew that the Crown was negotiating treaty by calculating at \$10 per person. Even though the Chiefs demanded a larger collective amount based on \$10 per person, it wasn't successful because the Crown was broke at the time.

Instead, a unique approach of a sharing model was created. The Chiefs agreed that they would accept that our two Nations (the Anishinaabe and the settlers) share the land and

resources within our treaty territory (except for those lands we reserved for ourselves). In doing so, they agreed to a collective amount based on this sharing model. The original agreement was an annual annuity of 600 pounds with a commitment to increase it when the Crown made enough revenues to do so. The Crown accepted the sharing model because they couldn't have imagined the value and wealth in our territory at the time. Our ancestors accepted the sharing model because it was based on Anishinaabe principles of sharing, and it protected our future generations. We are where we are because of the love and forethought of our Ancestors.

The collective annual annuity of 600 pounds was handed over to the Chief, and the Chief purchased supplies for his community and then distributed the remainder to his members. This system didn't last long when the Crown started to hand out \$1.60 directly to each individual and eventually to the \$4.00 amount we receive today, with no collective, shared amount.

This proposed settlement today makes up for the collective amount based on the sharing model that is owed to our Nations; and our Nations will decide how that collective amount is disbursed to community members.

For up-to-date information on the negotiations or a settlement amount:

Robinsonhurontreaty1850.com

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Miigwech,



Chief Scott McLeod

Nipissing First Nation