



Sucker Creek First Nation

P.O. Box 65 Enilda, Alberta T0G 0W0

Telephone: (780)523-4426 Fax :(780)523-3111

INFORMATION BULLETIN

From: Sucker Creek First Nation Chief & Council
To: Sucker Creek First Nation Membership
Date: August 21, 2018
Re: Treaty No. 8 Agricultural Benefits Claim

This Information Bulletin is intended to provide background to, and an update regarding, our Treaty No. 8 Agricultural Benefits Claim.

Background

The Sucker Creek First Nation Treaty No. 8 Agricultural Benefits Claim was prepared for us by the Lesser Slave Lake Indian Regional Council (LSLIRC) Treaty and Aboriginal Rights Research (TARR) Program.

This completed Claim comprised historical research and the preparation of legal arguments, resulting in a massive submission totaling 504 pages and 893 supporting historical documents. The finished Claim was filed with the Minister on August 10, 2018, triggering the three-year window for Canada to respond to our Claim.

Recently, some other Treaty 8 First Nations have been receiving settlement offers on their Agricultural Benefits Claims. This is because they submitted their claims long ago, in some cases over 20 years ago.

The Process

Now that our Claim has been submitted to Canada, it will take time for it to be processed before we have confirmation as to whether the government will accept it for negotiation. The Specific Claims Process is as follows:

1. The Specific Claims Branch (SCB) of the Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) has six months to undertake an “early review” of a claim to assess whether it meets their “Minimum Standard” policy. Our Claim has successfully passed this process.
2. Once a claim has met the “Minimum Standard”, it will then be deemed to have been formally “filed with the Minister”. This triggers a legislated three-year period within which Canada must issue a response regarding its acceptance or rejection of a claim for negotiation. During this time, government researchers and lawyers will conduct a detailed review of our Claim to help inform the government’s decision. Our Claim entered this phase on August 10, 2018. This means Canada must respond to us by August 10, 2021.
3. If our Claim is accepted, we will proceed to negotiate a Settlement Agreement with Canada.
4. If Sucker Creek First Nation membership votes to approve the Settlement Agreement, it will be signed and Canada will pay the agreed compensation directly to the Nation.

The Timeline

While it has taken some Treaty 8 Nations more than 20 years to have their claims processed and to negotiate Settlement Agreements, our Claim will not take nearly that long to be resolved. There are now legislated deadlines within which the government must respond that did not previously exist, and we expect to be able to use the precedents the other Nations have set.

We have asked CIRNAC Minister Carolyn Bennett to instruct her officials to expedite the processing of our Claim, because it would make no sense to reproduce work that has already been done to review, process and negotiate the other Treaty No. 8 Agricultural Benefits Claims. These claims all rely on essentially the same historical facts and legal entitlement.

Nonetheless, this process will take time. It is likely to be measured in years, rather than months, for us to conclude a settlement. Most of the factors in determining the speed of the process are out of our control and we can only go as fast as we can push the government.

Conclusion

Thanks to the precedent set by other Treaty 8 claimant Nations and the high quality of our submission, we are confident our Agricultural Benefits Claim will be accepted for negotiation and will take much less time to settle than those claims negotiated by other Nations. Nonetheless, we still have some distance to travel before our Claim is resolved.

For more information, please contact TARR director Peter Havlik at phavlik@thehavlikgroup.com or contact Chief & Council through the administration office.