

Events Leading to the Creation of the Indian Claims Commission

1948	A joint parliamentary committee recommends that a claims commission be set up to assess and settle all claims.
1951	The <i>Indian Act</i> is revised to remove the provision that made it an offence to raise funds or hire a lawyer to advance a land claim without the government's permission.
1961-1965	A joint parliamentary committee again recommends the creation of a claims body. The bill dies on the order paper.
1969	The White paper introduces the term specific claim based on "lawful obligation." The paper recommends the creation of an independent claims body. Dr Lloyd Barber is appointed to explore the creation of an impartial claims body.
1973	The Supreme Court of Canada's decision in the <i>Calder</i> case recognizes the existence of Aboriginal title. The federal government announces its claims policy, designating specific and comprehensive claims.
1981	Gérard La Forest, in a report commissioned by the government, recommends the creation of "an independent administrative tribunal" to resolve claims.
1982	Canada publishes <i>Outstanding Business: A Native Claims policy – Specific Claims</i> , which focuses on the processes and guidelines for submitting specific claims. The <i>Constitution Act, 1982</i> is proclaimed. Section 35 deals with Aboriginal peoples and recognizes and affirms existing Aboriginal and treaty rights.
1984	In the <i>Guerin</i> case, the Supreme Court finds that, under the provisions of the <i>Indian Act</i> , parliament has conferred on the Crown a fiduciary or trust-like obligation to protect First Nations' interests in transactions with third parties.
1987	The Canadian Bar Association recommends the creation of a "specific claims tribunal."
1990	The Supreme Court, in its comments on the <i>Sparrow</i> case, recognized an existing Aboriginal right to fish on the facts of that case, and interpreted section 35 of the <i>Constitution Act, 1982</i> , for the first time. Elijah Harper helps to block the Meech Lake accord over lack of Aboriginal participation. Violence erupts in Oka, Quebec, over a rejected land claim. The federal government announces its Native Agenda, committing it to the acceleration of specific claims settlement. The Indian Commission of Ontario, in a discussion paper commissioned by the federal government and the Assembly of First Nations, recommends the creation of an

	<p>independent claims body.</p> <p>The Chiefs Committee on Claims (Assembly of First Nations) also recommends the creation of an independent claims body and of a Joint Working Group on Claims to continue exploring reform of the claims policy with the federal government.</p>
1991	<p>The Indian Specific Claims Commission, known as the Indian Claims Commission, is created by Order-in-Council P.C. 1991-1329, and Harry S. LaForme is appointed Chief Commissioner.</p>
1992	<p>The Commission's mandate is amended by Order-in-Council P.C. 1992-1730 following objections from the Assembly of First Nations, and revisions recommended by a Joint First Nations/Government Working Group are incorporated. Six additional Commissioners are appointed: Roger Augustine, Daniel J. Bellegarde, Carole Corcoran, Carol Dutchshen, Charles Hamelin and P.E. James Prentice.</p>