

INAC - Specific Claims: A Statistical Snapshot

What is Being Measured

This fact sheet provides information on specific claims. These statistics do **not** include comprehensive claims, self-government negotiations or litigation.

Resolving Specific Claims: An Overview

Specific claims deal with the past grievances of First Nations. These grievances relate to Canada's obligations under historic treaties or the way it managed First Nation funds or assets. Statistics on specific claims are linked to steps in a process that begins when a First Nation files its claim with Canada. The next step is for Canada to review the claim and assess whether an outstanding lawful obligation is owed to the First Nation.

If an outstanding lawful obligation is found and damages are owed, Canada offers to negotiate a settlement with the First Nation. Negotiations take place to determine what compensation would be fair to resolve the claim. The parties work together to reach a settlement. Following ratification by each party, the settlement is then implemented.

The [*Specific Claims Tribunal Act*](#) received Royal Assent in June 2008. The *Act* creates a new independent body with the power to make binding decisions if claims are rejected by the government or if negotiations fail. It also includes new deadlines for assessing and negotiating claims to help accelerate claims resolution. The tribunal replaces the [*Indian Specific Claims Commission*](#) set up primarily to conduct inquiries and make non-binding recommendations on rejected claims. With the passage of the Order In Council passed November 28, 2008, the Commission is required to wind down its operations. Work to establish this tribunal and make the transition to the new process will occur over the coming months.

Alternatively, the First Nation can pursue its rejected claim through the courts. At present there are 74 such cases before the courts. All claims before the courts are outside the statistics for the specific claims process.

If a First Nation decides not to pursue any further action on the claim, the file is closed.

A National Perspective

Since 1973, 1308 specific claims have been submitted to Canada. To date, 543 of these claims have been concluded and 765 remain outstanding. Of the concluded claims, 300 were settled through negotiations and 243 were resolved through other means, such as an administrative remedy or file closure.

There are currently 131 specific claims in negotiations across the country and 34 claims with the ISCC.

Quick Facts

Since 1973, 300 specific claims have been resolved through negotiated settlements. Canada's contribution to these settlements has ranged in value from \$15,000 to \$125 million, with an average settlement value of \$6.5 million. This past fiscal year (2007-2008) Canada addressed a total of 54 specific claims.

Statistics By Province/Territory

Here is a provincial/territorial breakdown of specific claims statistics across the country (as of March 31, 2008).

Alberta

<i>Status</i>	<i># of Claims</i>
Under Review:	30
In Negotiations:	14
At the ISCC:	3
Concluded:	71

British Columbia

<i>Status</i>	<i># of Claims</i>
Under Review:	304
In Negotiations:	44
At the ISCC:	11
Concluded:	163

Manitoba

<i>Status</i>	<i># of Claims</i>
Under Review:	24
In Negotiations:	17
At the ISCC:	3
Concluded:	50

New Brunswick

Status	<i># of Claims</i>
Under Review:	12
In Negotiations:	2
At the ISCC:	0
Concluded:	16

Northwest Territories

Status	<i># of Claims</i>
Under Review:	0
In Negotiations:	0
At the ISCC:	0
Concluded:	10

Nova Scotia

Status	<i># of Claims</i>
Under Review:	9
In Negotiations:	3
At the ISCC:	0
Concluded:	16

Ontario

Status	<i># of Claims</i>
Under Review:	110
In Negotiations:	28
At the ISCC:	1
Concluded:	81

Prince Edward Island

Status	<i># of Claims</i>
Under Review:	0
In Negotiations:	1
At the ISCC:	0
Concluded:	1

Quebec

Status	<i># of Claims</i>
Under Review:	67
In Negotiations:	6
At the ISCC:	2
Concluded:	41

Saskatchewan

Status	<i># of Claims</i>
Under Review:	40
In Negotiations:	16
At the ISCC:	14
Concluded:	73

Yukon

Status	<i># of Claims</i>
Under Review:	4
In Negotiations:	0
At the ISCC:	0
Concluded:	21

All of Canada Total

Status	<i># of Claims</i>
Under Review:	600
In Negotiations:	131
At the ISCC:	34
Concluded:	543