

FINAL REPORT
NATIONAL CLAIMS RESEARCH WORKSHOP

Sheraton Hotel
Winnipeg, Manitoba

Treaty & Aboriginal Rights Research Centre of Manitoba, Inc.
November 17, 2005

Introduction

The 2005 National Claims Research Workshop was held in Winnipeg, September 26 - 28. This was the 13th Annual Claims Research Workshop and the second time the Workshop was hosted by the T.A.R.R. Centre of Manitoba. The event was held at the Sheraton Hotel located in downtown Winnipeg.

One of the main purposes of the Claims Research Workshops is to provide practical information on issues of relevance to those persons working on First Nation land claim issues in Canada. The majority of the subjects on the Workshop agenda relate, either directly or indirectly, to the work First Nation Land Claim Researchers undertake on a day-to-day basis. Specific claims research related topics, such as Reserve land surrenders, railway claims and topics of regional and provincial relevance, are a focus of the Workshop program. The persons making the presentations on these topics will most often have extensive experience in the areas covered and frequently are drawn from the staff of the Claims Research Units (CRU) across the country. In addition, well known and recognized experts in claims research related areas, and on the related relevant legal issues, from outside the ranks of the CRU's are invited to participate in the Workshop program to share their knowledge and experience on these subjects. Expert legal counsel experienced in working on First Nation land claims are also invited to participate in the Workshop to examine related legal issues and provide valuable insight into important legal issues.

Another important function of the Workshops is to present First Nation land claim researchers with valuable information on potential sources of resource material required in the preparation of land claims for their member First Nations. Information on the resources available from repositories such as Library and Archives of Canada (LAC), Indian and Northern Affairs Canada (INAC), Natural Resources Canada (NRC) and the Hudson's Bay Company (HBCo.) Archives, is presented by knowledgeable staff from those bodies, usually with particular emphasis on the use of the Internet as a valuable tool of research. The Workshops include a dedicated room, located in close proximity to the main Workshop room, in which computers are set up and high-speed connections with the Internet established, in order that one-on-one demonstrations on the use of the Internet in claims research can take place.

Since the claims workshop process was initiated in the early 1990's, the value of the workshop has become increasingly more apparent. In addition to the tangible benefits of providing valuable practical information on claims research related issues, the Workshops also provides the opportunity to First Nation claims researchers and other involved people, such as federal government research staff from the Specific Claims Branch, to meet and talk informally about topics relating to the claims process and policy. It also provides the opportunity to "put names to faces," which helps to personalize the process and encourages the development and maintenance of good working relationships between First Nation claims researchers and federal government staff working in the area of claims. The Workshop Planning Committees always encourage the participation of Specific Claims Branch research staff in the Workshops, with varying degrees of success. In addition, the Workshops provides the opportunity for members of First Nation communities who are involved in the claims process at some level to attend the Workshop and gain more insight into the process and to take this valuable information back to their

communities.

Workshop Planning Committee

At the 2004 National Claims Research Workshop in Halifax, the Planning Committee for 2005 Workshop was selected. The members of the Committee were:

<u>Name</u>	<u>Region</u>	<u>Claim Research Unit</u>
Donna Parisien-Guiboche	Prairies [Host]	T.A.R.R. Centre of Manitoba
Ralph Abramson	“	
Denise McDonald	Maritimes	TARR Nova Scotia
Deborah Smithson	Treaty 8 Tribal Council	British Columbia
Belanger Brown, Sr.	Ontario [co-Rep.]	Oneida Nation of the Thames
Margaret Sault	“ [co-Rep.]	Mississaugas of News Credit
Frank Meness	Quebec	Kitigan Zibi Anishinabeg

The Committee met in March 2005 in Winnipeg, at the Sheraton Hotel, to select the dates and location for the Workshop, to develop a budget for the event, and to begin drafting an agenda and determine the responsibilities for the individual sessions at the Workshop. The Committee selected the Sheraton Hotel (the site of the 1999 National Claims Research Workshop in Winnipeg) as the workshop venue and September 26 - 28, 2005 for the dates of the Workshop. In addition to the on-site meeting of the Planning Committee in March 2005, there were also a number of telephone conference calls between March 2005 and the date of the Workshop, the purposes of which were to monitor progress on the Workshop, to discuss and attempt to resolve any problems that might arise in relation to any aspect of the event and to work towards finalization of the Workshop agenda. In Winnipeg, the Planning Committee members of the T.A.R.R. Centre, together with the other Centre staff, worked on the many and varied on-location Workshop related items, including selection of and contracting with translators and arranging for the use of the necessary equipment for translation and for general PA requirements; purchase and/or acquisition of the required Workshop material (binders, paper, etc.); arranging for the details of the banquet services; begin to develop the Workshop packages; acquisition of sponsor for the Workshop banquet; arrange for the necessary office equipment for the Workshop (photocopier, computers, etc), as well as other related activities. Lists of participants from previous Workshops were obtained and notices were sent out, in some cases, on multiple occasions. There was a concerted effort to attempt to increase the number of participants from Quebec, ie. the provision of simultaneous English to French translation and one specific session conducted in French. The attendance of our French speaking colleagues at the Workshops has not been as large as we would like, and it is believed that more thought should be given in future Workshops for ways to attempt to secure better participation from the claims researchers in Quebec.

Workshop Agenda

The final agenda for the Workshop is attached. This year's Workshop program included:

Manitoba Showcase: In order to give the Workshop participants a good cross section of claim issues in Manitoba, information on the following issues was presented:

- “Reserve Land Alienation - Brokenhead Ojibway Nation (1898)” by Chief Tina Leveque
- “Relocation of the Sayisi Dene” by Ila Bussidor, former Chief - Sayisi Dene Nation
- “Dakota Rights in Canada” by Kevin Tacan, First Nation Historian - Sioux Valley Dakota Nation

Technical Presentations:

- Hudson’s Bay Company Archives by Anne Morton, Hudson’s Bay Company Archives, Winnipeg
- Library and Archives of Canada - Archivianet by Beth Greenhorn, Project Manager, Library and Archives Canada (Ottawa)
- Pilot Project - Integration of ILSR and related Survey Records by Larry Carkner , Special Projects, Natural Resources Canada (Ottawa)
- Treaty Annuity Paylist & First Nation Trust Account Records by Pierrette Galley, Head - Genealogical Research Unit (INAC Ottawa) & Nekan Williams, Band Moneys Advisor (INAC Ottawa)

UBCIC Research Initiatives: presentation by Jody Woods, Research Director - UBCIC

Oral Evidence in Specific Claims: presentation by Paul Williams, Legal Counsel and Darryl Stonefish, Delaware Nation

Kitigan Zibi Anishinabeg Claims: presentations by Chief Jean Guy Whiteduck

Pre-Confederation Claims: presentations by Margaret Sault, Mississaugas of the New Credit First Nation and Gillian Allen, Maritimes Issue

Research & Negotiation Funding Issues: update on the Claims Research Unit/Research and Negotiation Funding Unit Working Group

Importance of French-language Documents for Claims Research across Canada: Chaired by Donald Smith, University de Calgary: presentations

- “Introduction to the collections of the Saint-Boniface Historical Society” by Gilles Lesage, Archivist, St. Boniface Historical Society
- “The Use of Mission Registers” by Jean-Pierre Garneau, consultant, Québec
- “Some Examples of how the Perspective of French-language observers is often overlooked” by James Morrison, consultant, Winnipeg

Note: This session was conducted in French

Railway Claims: presentations by Dan Gottesman, Alliance of Tribal Nations (BC example) and Denis Brassard, Conseil Tribal Mamuitun (Quebec example)

Natural Resources Transfer Acts:

- “History versus Law: An overview of the development and meaning of the Natural Resources Transfer Agreements” by Professor Frank Tough, Native Studies Department, University of Alberta

Treaty Boundary - Impact on Claims

- “Blanket Extinguishment Clause in the Western Numbered Treaties” - Byron Williams, Director - Public Interest Law Centre, Winnipeg, Manitoba
- “TLE Settlements and Treaty Boundaries” - Tim Watson, Havlik Metcs Consulting Group

Panel Discussion on Specific Claim Research Issues: participants -Nadia Bartolini, Research Manager, SCB Ottawa, Ralph Abramson - T.A.R.R. Centre of Manitoba and Peter DiGangi - Algonquin Nation

The T.A.R.R. Centre would like to extend its thanks to the Elders from the Manitoba First Nation communities who were able to attend the Workshop and participate in the events. A special thanks to Elder Mervin Huntinghawk of the Rolling River First Nation, who offered the opening and closing prayers at the workshop, and once again, lent his strong and gracious presence to the proceedings.

National Research Directors’ Meetings

Two National Research Directors’ Meetings were held during the Workshop. One was held on the evening of September 25 (the day before the Workshop began and another during the lunch break of the second day of the Workshop (September 27th). The Directors were able to take advantage of the gathering to meet and discuss a number of issues of national concern, one important issue being the on-going work of the Claims Research Unit/Research and Negotiation Funding Unit Working Group, a body established at the May 2005 Directors’ Meeting in Gatineau, to examine issues of concern related to the specific claims funding process. Also discussed was the 2006 National Claims Research Workshop and the future of a National Aboriginal Document Database.

Specific Claims Resolution Act - Bill C-6

One unexpected result of the Workshop was the announcement by Robert Eyahpaise, the Director of the Claims Resolution Centre Implementation, INAC Ottawa, that Minister Scott would not take the necessary steps to implement Specific Claims Resolution Act (SCRA) - Bill C-6. First Nations have been unanimous in their opposition to the SCRA, and this news was greeted with much enthusiasm, for the most part, by the Workshop attendees. It was the consensus opinion that a new claims environment under the SCRA would create a process worse than the current one. It was felt, with cause, that it

would be even more difficult to achieve fair and timely resolution of claims under a process implemented through the SCRA.

Workshop Luncheon (September 26th) and Banquet (September 27th)

The Centre was fortunate enough to secure sponsorship for two (2) informal extra-curricular events during the Workshop. On September 26th, the Aboriginal Relations Branch of the Provincial Department of Conservation sponsored a luncheon for the Workshop participants at “Just Off Broadway,” a restaurant in the Sheraton Hotel. Many thanks to the Director of the ARB, Mr. Ron Missyabit for his support in this regard.

The Tribal Council Investment Group (TCIG) sponsored a banquet at the Sheraton on the evening of the second day of the Workshop, September 27th. A traditional meal, including pickerel and moose stew was served. The Centre was able to secure the recently appointed Manitoba Treaty Commissioner, Dennis WhiteBird, as the after dinner speaker. Robert Graham from TCIG was on hand to introduce Treaty Commissioner White Bird. There was also entertainment after the meal, including poetry readings and two musical groups. A Silent Auction was held at which \$384 was raised. This will be donated to an Aboriginal Children’s Christmas Fund.

Reimbursement to Attendees

In the budget for the 2005 Workshop, \$20,000 was identified for reimbursement to eligible Workshop participants. The objective is to provide the necessary funds to cover the expenses of those First Nation Specific Claims Researchers whose CRU does not receive funding from the Research and Negotiation Funding Unit (RNFU) for this purpose. Prior to the Workshop, potential participants are supplied with a copy of the Rules for Reimbursement that governs eligibility for repayment of Workshop expenses. A copy of the 2005 version of the rules is appended to this report. These rules have been developed over the years to provide helpful guidelines to potential Workshop attendees on whether they may be eligible to receive reimbursement for legitimate Workshop expenses. This year, we were able to provide those persons requesting reimbursement with 100% of the amounts requested. Included in this report is a list of persons receiving reimbursement for the 2005 Workshop.

2006 Workshop Planning Committee

The 2006 Workshop will be co-hosted by the Algonquin Nation Secretariat (represented by Peter Di Gangi) and the Kitigan Zibi Anishinabeg (represented by Frank Meness). The following people were selected to serve on the Planning Committee for the 2006 Workshop which is to be held in the Ottawa-Gatineau area.

<u>Region</u>	<u>Representative</u>	<u>Claims Research Unit</u>
Quebec	Peter DiGangi	Algonquin Nation Secretariat
“	Frank Meness	Kitigan Zibi Anishinabeg
Maritimes	Mary Jane Stevens	Confederacy of Mainland Mi ‘Kmaq

Ontario	Al Dokis	Union of Ontario Indians
Prairies	Stephanie Weasel Child	Siksika First Nation
British Columbia	To be determined by BC CRUs	
Past Host	Ralph Abramson or Donna Parisien-Guiboché	T.A.R.R. Manitoba (Prairies)

The budget for the 2005 Workshop included funding for the initial meeting of the Planning Committee to be held in the host area before the end fiscal year 2005/2006. At this meeting, work will begin in the selection of the hotel at which the Workshop will be held, the dates of the Workshop and the Workshop program. Once the 10% hold back on funds from the 2005/2006 budget has been received the funds identified for the 2006 Workshop Planning Committee will be transferred to the Algonquin Nation Secretariat, the CRU that has been designated to administer the finances for the 2006 Workshop.

Conclusion

The T.A.R.R. Centre believes the consensus is that the 2005 Workshop in Winnipeg was viewed as a success. Attendance was at approximately 150 people and it is believed that an interesting and informative program was presented. The Workshop packages included much useful information on claims research related issues that the participants will be able to use in their future research endeavours.

National Claims Research Workshop 2005

September 26 - September 28, 2005
Sheraton Hotel, Winnipeg, Manitoba

AGENDA

Sunday, September 25

6:00 - 9:00 pm National Research Director's Meeting (Room 307 - Thompson Room)

8:00 - 10:00 pm Registration (at Hotel)

Day One - Monday, September 26

8:00 - 9:00 am Registration

9:00 - 9:30 am Welcoming Remarks
Opening Prayer - Elder Mervin Huntinghawk - Rolling River First Nation

9:30 - 10:30 am Manitoba Claims Showcase : Coordination - T.A.R.R. Manitoba **[see Section 2]**

- Chief Tina Leveque, Brokenhead Ojibway Nation - "Reserve Land Alienation - 1895"
- Ila Bussidor, former Chief - Sayisi Dene Nation - "Relocation of the Sayisi Dene"
- Kevin Tacan, First Nation Historian - Sioux Valley Dakota Nation - "Dakota Rights in Canada"

10:30 - 10:45 am BREAK

10:45 - 12 noon Manitoba Claims Showcase (continued)

12 noon - 1:30 pm Luncheon at "Just Off Broadway" - Sponsored by Provincial Department of Conservation

1:30 - 2:30 pm Overview - Technical Displays: Coordination - Ralph Abramson **[see Section 3]**
Hudson's Bay Company Archives

- Anne Morton, Hudson's Bay Company Archives (Winnipeg)

Library and Archives of Canada - ArchiviaNet

- Beth Greenhorn, Project Manager, Library and Archives Canada (Ottawa)

Pilot Project - Integration of ILSR and related Survey Records

- Larry Carkner, Special Projects, Natural Resources Canada (Ottawa)

Treaty Annuity Paylist & First Nation Trust Account Records

- Pierrette Galley, Head - Genealogical Research Unit (INAC Ottawa)
- Nekan Williams, Band Moneys Advisor (INAC Ottawa)

2:30 - 3:00 pm UBCIC Research Initiatives Coordination: Deborah Smithson **[see Section 4]**
1) "Stolen Lands, Broken Promises: Researching the Indian Land Question in British Columbia" - update of 1998 research manual
2) "Our Homes Are Bleeding" - on-line and searchable, digital collection of archival, audio and visual research materials

- Jody Woods, Research Director - Union of British Columbia Indian Chiefs

3:00 - 3:15 pm BREAK

3:15 - 4:00 pm Oral evidence in Specific Claims: Coordination - Belanger Brown Sr. **[see Section 5]**

- Belanger Brown Sr., Oneida Nation of the Thames
- Paul Williams, Legal Counsel
- Darryl Stonefish, Delaware Nation

4:00 - 5:00 pm "Survival and Strength as Indigenous Peoples" **[see Section 6]**

- Kate Kempson - Olthius Kleer Townshend (Toronto)

5:00 pm Day One Closing

Note: Tours of the Hudson's Bay Company Archives and the St. Boniface Historical Society will be arranged for those who indicated an interest on their pre-registration form. The details of the tours will be worked out on September 26.

Day Two - Tuesday, September 27

- 9:00 - 10:30 am Kitigan Zibi Anishinabeg Claims: Coordination - Frank Meness **[see Section 7]**
- Chief Jean Guy Whiteduck
 - 1) Presentation - Global Approach Claims Research
 - 2) Presentation - Old Burial Grounds Claim
- 10:30 - 10:45 am BREAK
- 10:45 - 12 noon Pre-Confederation Claims: Coordination - Deborah Smithson **[see Section 8]**
- Presentation on Ontario Example - Margaret Sault, Mississaugas of the New Credit First Nation
 - Presentation on Maritimes Issue - Gillian Allen
- 12 noon - 1:30 pm LUNCH
- 1:30 - 2:30 pm Research & Negotiation Funding Issues: Coordination - Ralph Abramson **[see Section 9]**
- Report of the Claims Research Unit/Research and Negotiation Funding Unit Working Group - CRU/RNFU Working Group
- 2:30 - 2:45 pm BREAK
- 2:45 - 4:00 pm L'importance des documents de langue française pour les revendications à travers le Canada/
Importance of French-language documents for claims research across Canada (Session to be conducted in French): Coordination - James Morrison **[see Section 10]**
- Chair/président: Donald Smith, Université de Calgary
- "Les richesses des archives de la SHSB" ["Introduction to the collections of the Saint-Boniface Historical Society"] - Gilles Lesage, archiviste, la société historique de Saint-Boniface
 - "Utilization des registres des missionnaires" ["The Use of Mission Registers"] - Jean-Pierre Garneau, consultant, Québec
 - "La perspective des francophones est souvent négligée: quelques exemples" ["Some Examples of how the Perspective of French-language observers is often overlooked"] James Morrison, consultant, Winnipeg
- 4:00 pm Adjournment

There will be a banquet held in the evening at the Sheraton Hotel in the same room as the Workshop - the Manitoba Room. Recently appointed Treaty Commissioner Dennis WhiteBird will be the after-dinner speaker. There will also be a Silent Auction and entertainment. Banquet tickets can be requested at registration. The banquet tickets are limited in number and will be distributed on a "first come, first served" basis.

9:00 - 10 :45 am	Railway claims: Coordination - Deborah Smithson [see Section 11] <ul style="list-style-type: none"> • Example from BC - Dan Gottesman, Alliance of Tribal Nations • Example from Quebec - Denis Brassard, Conseil Tribal Mamuitun
10:45 - 11:00 am	BREAK
11:00 - 12 noon	Natural Resources Transfer Acts: Coordination - Ralph Abramson [see Section 12] <ul style="list-style-type: none"> • “History versus Law: An overview of the development and meaning of the Natural Resources Transfer Agreements” - Professor Frank Tough, Native Studies Department, University of Alberta
12 noon - 1:30 pm	LUNCH
1:30 - 2:30 pm	Treaty Boundary - Impact on Claims: Coordination - Deborah Smithson [see Section 13] <ul style="list-style-type: none"> • “Blanket Extinguishment Clause in the Western Numbered Treaties” - Byron Williams, Director - Public Interest Law Centre, Winnipeg, Manitoba • “TLE Settlements and Treaty Boundaries” - Tim Watson, Havlik Metcs Consulting Group
2:30 - 2:45 pm	BREAK
2:45 - 3:45 pm	“Specific Claim Research Issues” Panel: Coordination - Ralph Abramson [see Section 14] <ul style="list-style-type: none"> • Nadia Bartolini, A/Research Manager, SCB Ottawa • Ralph Abramson - T.A.R.R. Centre of Manitoba • Peter DiGangi - Algonquin Nation Secretariat
3.45 pm	Closing Ceremonies & Conference Adjournment Closing Prayer - Elder Mervin Huntinghawk - Rolling River First Nation

4:00 - 4:30 pm National Research Directors' Meeting: Coordination - Ralph Abramson
(location to be determined after the Workshop closing)

National Claims Research Workshop 2006

- Designation of Planning Committee
- Workshop 2006 Host

2005 NATIONAL CLAIMS RESEARCH WORKSHOP (WINNIPEG)

RULES FOR COST REIMBURSEMENT

1. If your organization receives funding in your budget for 2005/2006 to cover the attendance for one (1) person at the 2005 Workshop, you are not eligible to receive any extent of reimbursement.
2. Each organization shall cover the costs of any additional staff members' attendance at the Workshop.
3. If your organization receives funding for the research and development of specific claims, but the funding does not include finances for the annual research workshop, you will be eligible to receive reimbursement for the travel and other allowable costs for one (1) person to attend the Workshop
4. The extent to which reimbursement will be made available will be determined by the total amount of funds that can be devoted to this item from the overall Workshop budget. In all cases, the proper documentation will be required in order to be considered for reimbursement.
5. As the Workshop is intended to provide practical information for First Nation Claim Researchers, organizations are encouraged to send their staff who are responsible for the research and development of claims.
6. Although the exact extent of reimbursement to be received (if eligible) cannot be set beforehand, it is not guaranteed that 100% reimbursement will be made.
7. Payment of reimbursement will be contingent of the following factors:
 - *priority for reimbursement will be given those who pre-register at least one (1) month before the Workshop.**
 - no one will receive full-fare airfare reimbursement for their travel costs, ie. travel must be booked in advance and/or take advantage of seat sales and other discounts. Receipts of the airfare are required.
 - all those applying for reimbursement must register as Workshop participants and secure hotel accommodations at the designated hotel. Receipts will be required..
 - meals and incidentals will be reimbursed at the current federal government rates, ie. \$73.90 a day for meals incidentals** (no receipts required). Ground transportation - \$.44*** per kilometre; taxi (to and from airports) - a maximum of \$100 (receipts required)
8. The Workshop Coordinator, T.A.R.R. Manitoba, in consultation with the other members of the Planning Committee, will have the final determination on reimbursement.

* *This is a new factor, introduced for the first time this year*

** *Based on Treasury Board Rates, effective April 1, 2005*

*** *Kilometre Rates - BC & Alta - \$.44; Sk. - \$.41.5; Mb.- \$.42; Ont. - \$.45.5; Que. - \$.48.5; NB & NS - \$.44.5; PEI - \$.44*

The following Workshop Participants received reimbursement:

Dan Gottesman
Tammy MacDonald
Chief Morris Shannacappo
Deborah Smithson
Darryl Stonefish
Kevin Tacan
Elder Marina Tacan
Elder Eva Thorassie
Paul Williams
Chief Rex Ross
Jean-Guy Whiteduck
Belanger Brown
Denise McDonald
Margaret Sault
Denis Brassard
Ila Bussidor
Peter DiGangi
Jean-Pierre Garneau
Elder Mervin Huntinghawk
Wendell Labobe
Frank Maness
Chief Tina Leveque
Lloyd Stevenson
James Morrison
Gillian Allen
Tim Watson
Jenny Lee Decontie
Rolland Pangowish
Jody Woods
Frank Tough
Jo-Anne Greene

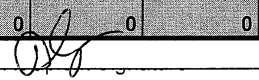
Recipient: TARR Manitoba Workshop
 Manager RNFU: Martine Larocque
 Responsible Officer: Roxanne Gagné

Fiscal Year 2005-2006/Specific Claims Research

Please note that the grey areas are for RNFU use only

Monthly Actual Contribution and Projected Forecast	Total INAC Budget	April	May	June	July	August	September	October	November	December	January	February	March	Total
A. TRAVEL COSTS														
Manitoba Showcase 4 chiefs and 4 elders	7,500							7,440						7,440
Speakers	10,000							10,632						10,632
Attendees	20,000							17,088		962				18,050
A. TRAVEL - SUBTOTAL	37,500	0	0			0	0	35,160	0	962	0	0	0	36,122
B. ADDITIONAL OVERHEAD COSTS														
Translation & equipment	10,000							8,480						8,480
Conference Coordination	5,000							3,635		1,138				4,773
Meeting facilities & service	7,000							8,310						8,310
Photocopying	1,100							2,915						2,915
Workshop Planning meeting 2006	4,400									4,400				4,400
B. ADDITIONAL OVERHEAD SUBTOTAL	27,500	0	0			0	0	23,340	0	5,538	0	0	0	28,878
C: INAC TOTAL: (A +B)	65,000	0	0	0	0	0	0	58,500	0	6,500	0	0	0	65,000

Nov 17/05



**Note: This cashflow is to be prepared by the recipient, which should be completed as per the approved project budget. Consult the Officer responsible identified above should you require any assistance or have any questions. This document must be updated/modified at the time of reporting requirements and be submitted with all reports. 10% administration excluding legal and professional services.

ACTIVITY: Establishment of Claims

AUTHORITY: Contribution

FINANCIAL CODING: 1-360-2601-01360-9087-.3351