



Aboriginal Affairs and
Northern Development Canada

Affaires autochtones et
Développement du Nord Canada

Senior Assistant Deputy Minister

Sous-ministre adjoint principal

Ottawa, Canada
K1A 0H4

MAY 06 2015

Jason Arbour
tsit-kanaja@hotmail.com

Dear Mr. Arbour:

I am writing on behalf of Minister Valcourt in regards to your e-mail of April 21, 2015, expressing concerns over the Algonquin of Ontario claim process and your interest in asserting First Nation and Aboriginal land title in the Ottawa-Hull region for the Kaniengehaga Nation.

In respect of your interest in formally submitting your claim of Aboriginal title in the Ottawa-Hull region, I have provided below key aspects of the current comprehensive claim submission process.

As the first step, you will need to prepare a statement of claim that includes supporting materials. This statement identifies the Aboriginal group and the general geographic area of its traditional territory. In order for a comprehensive land claims submission to be accepted, an Aboriginal group must demonstrate all of the following:

- the Aboriginal group is and was an organized society;
- the organized group has occupied a specific territory over which it asserts Aboriginal title from time immemorial, and the traditional use and occupancy of the territory must have been sufficient to be an established fact at the time of assertion of sovereignty by European nations;
- the occupation of the territory by the Aboriginal party was largely to the exclusion of other organized societies;
- the Aboriginal group can demonstrate some continuing current use and occupancy of the land for traditional purposes;
- the group's Aboriginal title and rights to resource use have not been dealt with by treaty; and
- Aboriginal title has not been eliminated by other lawful means.

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Please note that a well-supported claim is characterized by the following:

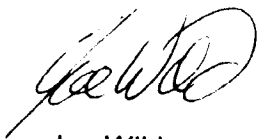
- clear articulation of claim;
- evidence supporting the claim;
- a good document index;
- an index to records research;
- the number of Aboriginal bands involved in the claim;
- the population of the claimant group;
- the geographic area of the claim; and
- a plan to address potential disputes arising from overlapping claims with neighbouring Aboriginal groups.

Should you have further questions on the comprehensive claims process, please refer to the Department's website at <https://www.aadnc-aandc.gc.ca/eng/1100100014174/1100100014179#clcp> or contact Sean Darcy, Manager, Assessment and Historical Research Directorate at sean.darcy@aadnc-aandc.gc.ca or (819) 997-8155.

In respect of your concerns regarding the ongoing Algonquin of Ontario claim negotiations, the negotiations are not intended to prejudice any Aboriginal rights that any neighbouring Aboriginal group may have in the Algonquin of Ontario claim territory. A final treaty would contain a non-derogation clause to ensure that any land claim agreement with the Algonquins of Ontario would not affect, recognize or provide any rights under section 35 of the *Constitution Act*, 1982 for any Aboriginal peoples other than the Algonquin of Ontario. Section 2.2.2 of the Preliminary Draft Agreement-in-Principle contains this non-derogation clause. Should you have additional concerns, please contact Mr. Collin Faubert, Negotiator, at (819) 994-4832 or collin.faubert@aadnc.gc.ca.

Thank you for your correspondence, I can assure you that my Department will continue to work with Aboriginal groups so that we can all participate in the opportunities that Canada has to offer.

Sincerely,



Joe Wild
Senior Assistant Deputy Minister
Treaties and Aboriginal Government