



# Robinson Huron Treaty LITIGATION FUND

November 8, 2021

Atikameksheng  
Anishnawbek  
Aundeck Omni  
Kaning  
Batchewana  
First Nation  
Dokis First Nation  
Henvey Inlet  
First Nation  
M'Chigeeng  
First Nation  
Magnetawan  
First Nation  
Mississauga  
First Nation  
Nipissing  
First Nation  
Ojibways of  
Garden River  
Sagamok  
Anishnawbek  
Serpent River  
First Nation  
Shawanaga  
First Nation  
Sheguiandah  
First Nation  
Sheshegwaning  
First Nation  
Thessalon  
First Nation  
Wahnapiatae  
First Nation  
Wasauksing  
First Nation  
Whitefish River  
First Nation  
Wiikwemkoong  
Unceded Territory  
Zhiibaahaasing  
First Nation

Honourable Greg Rickford  
Minister of Indigenous Relations  
160 Bloor St. East, 4th Floor Toronto, Ontario  
M7A 2E6

Dear Minister, Rickford,

**RE: Negotiation and Settlement of the Restoule v Canada litigation**

As you may be aware the Ontario Court of Appeal issued their Stage 1 and 2 decisions on the last day of Ontario Treaty Week, Friday, November 5th. With respect to your observation in your September 8<sup>th</sup> letter, that the judgments of the Ontario Court of Appeal may be issued later this Fall, we now know the outcome. The general outcome of the judgment states: "...we unanimously reject the majority of the arguments raised on appeal. We dismiss Ontario's appeal from the stage two proceedings in its entirety ...". This is another, among a few other judgments by the courts, that rejects Ontario's legal position in the Robinson-Huron Treaty litigation.

The majority of three judges strongly urged the parties to negotiate a modern agreement for the implementation of the Treaty, finding that this is more likely to "produce a strong, renewed Treaty relationship" and stating that "true reconciliation will not be achieved in the courtroom." In our opinion, given that all five of the Court of Appeal judges found that the Crown is required to increase the annuity, we need to negotiate a settlement.

As you might also be aware, we have overwhelming support from civic leaders in the Robinson-Huron Treaty territory that your government should get on with negotiations to achieve a settlement which benefits all treaty people in the territory, for sure in an economic context. At an event outside Minister Fedeli's office in North Bay on Friday, sponsors of a petition reflecting the views of Ontario residents living in Robinson-Huron Treaty territory encourage Ontario to abandon litigation in favour of honourable negotiations.



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At this point, a reasonable person could come to no other conclusion than Ontario is hanging on to an untenable position. Again, we urge you to seek the negotiating mandate from your cabinet colleagues to enable your officials or appointee to negotiate an honourable settlement and to move forward based upon principles of renewal and reconciliation.

We look forward to working with you.

On behalf of the Robinson-Huron Chiefs

Chief Dean Sayers

Ogimaa Duke Peltier

CC: Robinson-Huron Chiefs  
Premier Doug Ford