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“AOO” RATIFICATION VOTE RESULTS: EVIDENCE OF AN ILLEGITIMATE PROCESS.

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Long Sault Island, ON – Last week, the results of the ratification vote on the “Algonquins of Ontario” (AOO) land claim Agreement in Principle (AIP) were released to the public. The AOO land claim involves outstanding Algonquin Aboriginal title and rights to 3.6 million hectares of land in eastern Ontario, including Parliament Hill. The Algonquin First Nations of Timiskaming, Wolf Lake and Kebaowek (Eagle Village) have overlapping interests in almost 900,000 acres of that territory, but are not party to the negotiations between the AOO, Canada and Ontario.

“The results of the ratification vote throw a spotlight on the concerns we have been raising for years”, said Chief Lance Haymond of the Kebaowek First Nation. “There were 3,341 votes cast in the AOO vote, and over 90% of those individuals voted in favour of the AIP. But the eligibility criteria are so loose that over 3,000 people on the AOO voters list have not even had intermarriage with any Algonquins for over 200-300 years. How can these individuals be allowed to have a decisive voice in the land claim negotiations when the legitimate rights-holders who assert Aboriginal title to large parts of the territory aren’t even at the table?”

To add to the uncertainty, a separate vote was held for the registered members of the Algonquins of Pikwakanagan, the only federally-recognized First Nation that is actually participating in the AOO negotiations. Of those who voted, fully 57% voted against the AIP. “The fact that the majority of Pikwakanagan members who voted, voted against the AIP, sends a strong signal to all who are impacted by the AOO claim”, said Chief Harry St. Denis of Wolf Lake. “The members of Pikwakanagan are outnumbered at the negotiating table. The AOO claims process seems to be controlled by individuals and groups who are not actually rights-holders. These results take away any legitimacy that the negotiations may have had.”

Chief Terence McBride of Timiskaming stated that, “This result throws the legitimacy of the entire AOO land claims process into question. We continue to press Canada and Ontario to think twice on how they are proceeding. They need to engage with the rights-holders, including our communities, to properly address outstanding Aboriginal title and rights in the territory.”

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BACKGROUNDER

Traditional Algonquin territory straddles the Ottawa River watershed on both sides of the Ontario - Quebec border. There are eleven federally recognized Algonquin communities - two in Ontario and nine in Quebec. At least five of these communities assert Aboriginal title in Ontario, and most or all of them assert some form of Aboriginal rights in that province.

In 1991-92, Canada & Ontario began negotiating a land claim solely with the Algonquins of Golden Lake (now Pikwakanagan) to deal with Algonquin title on the Ontario side. Over the years, they have expanded the definition of who is entitled to participate in these negotiations, to the point where Pikwakanagan is now outnumbered by nine groups made up of mostly unregistered individuals who claim some Algonquin ancestry or connection. Out of the 7,714 people on the AOO voters' list, some 3,016 voters (39%) have had no intermarriage with anyone of Algonquin ancestry for 200, and in some cases over 300 years. At least hundreds more have had no intermarriage with anyone of Algonquin ancestry for between 100 and 200 years. In contrast, the registered members of Pikwakanagan make up less than 10% of the voters list. These large numbers of "instant Algonquins" undermine the legitimacy of the AOO negotiations and threaten the interests of legitimate rights-holders.

Under the proposed agreement, the AOO would surrender Algonquin rights to approximately 3.6 million hectares in eastern Ontario, including Parliament Hill. In return, undefined "Algonquin institutions" would receive 117,500 hectares of provincial Crown lands and \$300 million in cash (about \$0.012 per hectare for surrendered lands. Canada, Ontario and Pikwakanagan have been advised many times that the AOO claim negatively affects the rights and interests of other Algonquin communities, but so far they have refused to address these concerns. In 2013, the federal and provincial governments received a Statement of Asserted Rights to lands in Ontario from Kebaowek (Eagle Village), Timiskaming & Wolf Lake First Nations, who together have an overlap of over 855,000 acres with the AOO. The AOO AIP will lead to a surrender of Algonquin rights and title to the same lands in eastern Ontario over which Kebaowek, Timiskaming & Wolf Lake assert Aboriginal rights.

The governments of Ontario and Canada have a legal duty to consult and accommodate the Algonquin communities who assert an interest in the AOO claim area. So far, they have refused to consult in a meaningful way, let alone accommodate. This is in breach of their legal duties to the Algonquin people, and a blot on their record.