

ROBINSON HURON TREATY LITIGATION FUND

c/o Chairperson, Mike Restoule

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Atikameksheng

Anishnawbek

Aundeck Omni

Kaning

Batchewana

Dokis

Garden River

Henvey Inlet

Magnetawan

M'Chigeeng

Mississauga #8

Nipissing

Sagamok

Anishnawbek

Serpent River

Shawanaga

Sheguiandah

Sheshegwaning

Thessalon

Wahnapiatae

Wasauksing

Whitefish River

Wikwemikong

Unceded Indian

Reserve

Zhiibaahaasing

May 1, 2020

VIA EMAIL: carolyn.bennett@parl.gc.ca

Minister Carolyn Bennett

Minister of Crown and Indigenous Relations

Terrasses de la Chaudiere

10 Wellington St., North Tower

Gatineau, QC

K1A 0H4

Dear Minister Bennett:

Re: Restoule et al. v. the Attorney General of Canada, the Attorney General of Ontario and Her Majesty the Queen in Right of Ontario (Court File Nos. C-3512-14 & C-3512-14A).

Again, we are writing to you to in relation to the matter of *Restoule v. Canada (Attorney General)* to achieve settlement in the Robinson-Huron Treaty Annuities case. The Covid-19 driven crisis which is consuming the attention of the federal government is another example of the enormous amount of work facing the government in reconciling the relationship with First Nations peoples. At various times in the past few weeks the Prime Minister, other Ministers and senior health officials have acknowledged the vulnerability of Indigenous peoples to great harm from the spread of the pandemic into our communities. In 1996, the Royal Commission on Aboriginal Peoples report identified such vulnerability.

The Commission reported the fact that Aboriginal peoples life chances were shamefully low because of poor living standards including: life expectancy is lower; illness is more common; human problems, from family violence to alcohol abuse, are more common too; the homes of aboriginal people are more often flimsy, leaky and overcrowded; and water and sanitation systems in Aboriginal communities are more often inadequate.

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The Commission pointed out that: “Aboriginal people urgently need resources to help them reduce infant mortality, tuberculosis, diabetes, heart disease and other illnesses. But they know that curing diseases of the body alone cannot restore well-being. What they are looking for is more fundamental and more transformative.”

The Royal Commission boldly set out a 20-year agenda for change based on co-existence, partnership, fundamental and sweeping changes including accommodating and facilitating land and economic vitality as envisioned in the treaties for the overall betterment of whole, healthy, hopeful peoples. Unfortunately, the 20-year plan was not adopted and implemented by the federal government. Amidst the Covid-19 crisis, the circumstances of our peoples are the same and the nature of the remedies required remain the same as well.

Our ancestors knew that our land would sustain us as noted by Judge Hennessy in her decision:

“Chief Shingwaukonse knew and reminded the newcomers that the land had historically sustained his people but that the traditional ways in which the land had sustained them were being lost. He recognized, as did the Commissioners, that new development in the region could be to the benefit of the Anishinaabe people. However, one measured the value of the land, it had always been the Anishinaabe’s source of their sustenance.”

The financial resources owed to our peoples could be applied to the health, social and economic needs of our people to help lift them out of the poor living standards in which they exist. Such was the vision and expectation of our predecessors as leaders who negotiated the terms of the Robinson-Huron Treaty.

The priorities of the federal government to address Covid-19 and the settlement of outstanding legal obligations regarding the Robinson-Huron Treaty as essential business are not severable. Our leadership has the responsibility to safeguard our people from all dangers and those responsibilities need to be aided and supported by financial resources that are owed by the Crown.

We see that Covid-19 has greatly affected normal business and routines, but we also

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see that individuals, governments and some businesses have adjusted the way business gets done. We also see how quick governments, especially the Government of Canada, can act very decisively and quickly to address financial needs across the country when motivated to do by a crisis such as Covid-19. There is no excuse for the Government of Canada to fail to act decisively and quickly to achieve settlement in the Robinson-Huron Treaty Annuities case.

The Prime Minister has previously assured us that you are the Minister responsible and authorized to deal with this matter. The time has long passed for you to deliver on the Prime Minister's assurances.

Sincerely,

ON BEHALF OF THE ROBINSON-HURON CHIEFS

Chief Duke Peltier

Chief Dean Sayers

cc. Robinson-Huron Chiefs
National Chief Perry Bellegarde