



Specific Claims: JUSTICE AT LAST

SPECIFIC CLAIMS: A STATISTICAL SNAPSHOT

WHAT IS BEING MEASURED

This fact sheet provides information on specific claims. These statistics do not include comprehensive claims, self-government negotiations or litigation.

An Overview of the Current Specific Claims Process

Specific claims deal with the past grievances of First Nations. These grievances relate to Canada's obligations under historic treaties or the way it managed First Nation funds or assets. Statistics on specific claims are linked to steps in a process that begins when a First Nation submits its claim to Canada. The next step in the current process is to review the claim and assess whether an outstanding lawful obligation is owed to the First Nation.

If an outstanding lawful obligation is found and damages are owed, Canada offers to negotiate a settlement with the First Nation. Negotiations take place to determine what compensation would be fair to resolve the claim. The parties work together to reach and ratify a settlement. The settlement is then implemented.

There are now two scenarios in which a First Nation can refer its claim to the current Indian Specific Claims Commission (ISCC) to conduct an independent review of the government's decision: a) if a lawful obligation is not found and the claim is rejected by Canada; and b) if the First Nation disagrees with the applicable compensation criteria.

Alternatively, the First Nation can pursue its claim through the courts. At present there are 75 such cases before the courts. All claims before the courts are outside the statistics for the specific claims process.

If a First Nation decides not to pursue any further action on the claim, the file is closed.

A National Perspective

Since 1973, 1279 specific claims have been submitted to Canada. To date, 489 of these claims have been concluded and 790 remain outstanding. Of the concluded claims, 282 were settled through negotiations and 207 were resolved through other means, such as an administrative remedy or file closure.

There are currently 123 specific claims in negotiations across the country and 34 claims with the ISCC.

Quick Facts

Since 1973, about 282 specific claims have been resolved through negotiated settlements. Canada's contribution to these settlements has ranged in value from \$15,000 to \$125 million, with an average settlement value of \$6.5 million.

STATISTICS BY PROVINCE/TERRITORY

Here is a provincial/territorial breakdown of specific claims statistics across the country (as of March 31, 2007).

Alberta

Status	# of Claims
Under Review:	29
In Negotiations:	12
Concluded:	67
At the ISCC:	4

British Columbia

Status	# of Claims
Under Review:	303
In Negotiations:	40
Concluded:	145
At the ISCC:	10

Manitoba

Status	# of Claims
Under Review:	24
In Negotiations:	16
Concluded:	47
At the ISCC:	3

New Brunswick

Status	# of Claims
Under Review:	12
In Negotiations:	6
Concluded:	12
At the ISCC:	0

Northwest Territories

Status	# of Claims
Under Review:	3
In Negotiations:	1
Concluded:	6
At the ISCC:	0

Nova Scotia

Status	# of Claims
Under Review:	10
In Negotiations:	2
Concluded:	16
At the ISCC:	0

Ontario

Status	# of Claims
Under Review:	132
In Negotiations:	24
Concluded:	71
At the ISCC:	1

Prince Edward Island

Status	# of Claims
Under Review:	1
In Negotiations:	0
Concluded:	1
At the ISCC:	0

Quebec

Status	# of Claims
Under Review:	71
In Negotiations:	6
Concluded:	37
At the ISCC:	1

Saskatchewan

Status	# of Claims
Under Review:	41
In Negotiations:	16
Concluded:	70
At the ISCC:	14

Yukon

Status	# of Claims
Under Review:	7
In Negotiations:	0
Concluded:	17
At the ISCC:	1

All of Canada Total

Status	# of Claims
Under Review:	633
In Negotiations:	123
Concluded:	489
At the ISCC:	34