



Algonquins of Ontario

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David Walker
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BY EMAIL ONLY

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Dear Editor,

We are writing in response to the recent Letter to the Editor published on February 23, 2016 entitled “Many Layers of Deception to Algonquin Land Claim”.

The Algonquins have sought justice and recognition from the Crown for over 250 years when the first petition for a Treaty was submitted in 1772 pursuant to the terms of the Royal Proclamation and were thereafter studiously ignored by the Crown until recently.

Negotiations that began in 1991, falling apart ten years later because of Algonquin disunity, have been rebuilt – and we have reached a proposed Agreement-in-Principle (AIP).

The Algonquin negotiation team has pushed the governments of Ontario and Canada as far as possible. Between February 29 and March 7 Algonquin Voters will decide whether or not to ratify the proposed AIP. If Algonquin Voters choose to ratify the proposed AIP, we will proceed to negotiate towards achieving a Treaty that will be constitutionally protected.

During this next phase of negotiations, we will continue to strive to improve the AIP to create a stronger Treaty. If ratified, the AIP remains **non-binding**, contrary to some people’s beliefs. A positive AIP vote will not affect any Algonquin rights in any way; rather it will set the table to continue negotiations towards a Treaty. Then, once again, Algonquin Voters will decide if the negotiated improvements contained within a proposed Treaty are adequate through another future Ratification Vote.

The Algonquins of Ontario (AOO) have strived to ensure that those Algonquins in Ontario who possess Aboriginal rights and title are eligible to be included in any modern-day Treaty. This is crucial to ensuring that the Treaty is legally valid and that there is certainty for all concerned. The negotiation parties (the AOO and the governments of Ontario and Canada) have expressed their common view that the beneficiary criteria contained in the proposed AIP properly reflect the current law with respect to communities located in Ontario that might possess Algonquin

Aboriginal rights as well as the Algonquin membership of those communities. As is evident within the proposed AIP the “final” beneficiary criteria are not complete and further work remains to be done in respect of custom adoption, community acceptance and other matters that may be considered before a Treaty is voted upon. Of course, this is all contingent on a positive vote on the proposed AIP by Algonquin Voters.

Moreover, the proposed AIP provides for a rigorous analysis of Enrolment Applications by both a genealogist and a tri-partite Ratification Committee to determine eligibility. Once an Applicant is deemed to be eligible the process still allows for an open and transparent scrutiny of an initial Voters List and access to an appeal process through a protest if a challenge is deemed warranted. An eminent retired judge of the Ontario Superior Court was even appointed to address many of the more complex and contentious of these protests. Interestingly, Ms. Green never submitted any protest during this period of scrutiny.

Finally, the proposed beneficiary criteria correct a historic injustice whereby groups of Algonquins were never recognized as “Bands” or First Nations under the *Indian Act* save for one, Pikwakanagan. And even that community was obliged to purchase its own Reserve. Despite this non-recognition and not having the benefits of their own land base and own local governments, these groups of Algonquins persevered in the face of assimilation and disintegration pressures. The proposed AIP would correct this injustice by recognizing the modern-day Algonquin collectives as communities that will appropriately, and as a matter of law, hold treaty rights once the Treaty is concluded.

The negotiation parties have made ongoing efforts to share information so that all interested parties can learn about this important historical initiative and to better understand these complex negotiations. We encourage those who are interested to read the materials that are publicly posted, including the complete proposed Agreement-in-Principle, at www.tanakiwin.com.

Now, Algonquin Voters will decide whether we have achieved a framework for moving forward.

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Potts', with a large, stylized initial 'R'.

Robert Potts
Principal Negotiator and Senior Legal Counsel
Algonquin Treaty Negotiations