



# Robinson Huron Treaty LITIGATION FUND

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

Update

October 21, 2024

Manitoulin Island (Mnidoo Mnissing) – The Chiefs and Trustees of the Robinson Huron Treaty Litigation Fund (RHTLF) met for two days on October 16 and 17, 2024, to formulate a plan for the implementation of the Treaty Augmentation Promise going forward. The 21 Chiefs and Trustees entered into a Settlement Agreement with the Crown in January 2024, for \$10.0 B, but that was only for Past Compensation. Ontario and Canada each paid \$5.0 B towards the settlement. In that Settlement Agreement, the parties also committed to negotiating the implementation of the Augmentation Promise going forward. Currently, the Crown still only pays \$4.00 per person per year, which has been the case since 1875. The Supreme Court of Canada in the Restoule decision, released on July 26th of this year, called the failure of the Crown to augment the Treaty for well over a century a “longstanding and egregious” breach, which “severely undermined both the spirit and substance of the Robinson Treaties.”

In the Restoule decision, the Supreme Court also held that the treaties represent the “establishment of a relationship of trust and mutual assistance”, the details of which “must be the object of permanent negotiations, in view of fleshing out the general principles governing the relations between the two peoples”. The Court directs “that Ontario and Canada must act now to respect their treaty promises to the Anishinaabe, and to help restore the honour of the Crown and the nation-to-nation alliance that the treaties represent.”

The Court goes on to mandate that “It is time for the parties to return to the council fire and rekindle the perpetual relationship that the Robinson Treaties envision. Nothing less will demonstrate the Crown’s commitment to reconciliation.”



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The Litigation Management Committee of the RHTLF issued letters in August, to Ontario Minister of Indigenous Affairs, Greg Rickford and the federal Minister of Crown-Indigenous Relations, Gary Anandasangaree, urging them to begin work immediately on establishing the Council Fire. To date, neither Canada nor Ontario has responded to those letters.

At their meeting on October 16 and 17, 2024, on Manitoulin Island, the Chiefs and Trustees of the RHTLF reaffirmed their commitment to Treaty renewal and again called upon Ontario and Canada to abide by the directives of the Supreme Court, to ACT Now, to rekindle the Council Fire. The Treaty obligates the Crown to sit in Council Fire and engage in negotiations with the RHT Anishinaabek to increase the annuity based on the value of wealth generated from the Treaty territory.

To prepare for the go-forward negotiations, the Chiefs and Trustees also committed to undertake their own internal Council Fire and Ceremonies to ensure that the leadership is speaking with ONE HEART, according to Anishinaabe law and as instructed by the Elders.

Quotes:

The Chiefs and Trustees collectively stated:

“The Anishinaabek of the RHT territory and the Crown collectively hold a perpetual responsibility and commitment to ensuring that the lands, resources of the Robinson Huron Treaty territory and the relationships with all beings is fully respected. For the Anishinaabek, we must ensure that our treaty continues to reflect the will of our Creator and Ancestors. We must also ensure that when we collectively make decisions, it is done in the manner inclusive of our Anishinaabe Laws and ceremonies.”

“We start with a Council Fire. Since the beginning of time, that is how our people discussed and decided major issues impacting the Anishinaabek – such as treaty relationships and agreements. Council Fires remind and teach us about our responsibilities to one another and those that came to live amongst us. Council Fire is how we enter negotiations on treaties. Council Fire not only brings people together around it, but also everything within it and used around it, is significant in how the



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Anishinaabek decide and commitments on behalf of our people. The wood and sticks used in the fire, the pipe and medicines shared amongst each other and the smoke from Fire, Pipe and Sacred Medicines elevate to the Creator. This is our Anishinaabe Law making ways.”

Mike Restoule, Chairman of the RHTLF, said:

“Our Anishinaabek have, since the beginning of the RHT annuity case, stressed in courts the critical fact that our Ancestors who agreed to and signed this Robinson Huron Treaty of 1850 did so through our Anishinaabe Law protocols and understandings. At the time of the treaty discussions and signing, the British Crown also participated in and made agreements through our Council Fire and Anishinaabe Law protocols. This is now recognized and supported by the Supreme Court of Canada which has instructed the Crown to move forward with us once again at Council Fire to discuss annuity augmentation – the Go Forward phase. Our Anishinaabe Law must be treated equally to Common Law.”

Duke Peltier, Trustee and Spokesperson of the RHTLF, said:

“We, the Anishinaabek, have always honoured our commitment through the Robinson Huron Treaty of 1850. Our Ancestors entered the treaty with the Crown based on promises made by the Crown that would help us ensure prosperity and goodwill for our future generations of Anishinaabek. Our Council Fire and Anishinaabe Law protocols committed us to this. The Crown breached their commitment. The RHT Anishinaabek have achieved great success in righting the wrong of the Crown - through our past compensation settlement. Now we must continue to work together toward the future on annuity augmentation. It is our hope to renew and strengthen our treaty relationship and this must include recognition and adherence by the Crown of our Anishinaabe Law as equally binding as Common Law.”

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