

TREATY AND ABORIGINAL RIGHTS RESEARCH

NEWSLETTER

SIIGWAN 2025

About Us

The Treaty and Aboriginal Rights Research Program, or TARR, is the research arm of Grand Council Treaty 3 Administrative Services.

Established in 1973, TARR is responsible for documenting historical land and rights claims in order to settle First Nation grievances arising from events after Treaty 3 was signed in 1873. This work is paid for by funding we secure from Canada each year.

Reporting to the Executive Director of Grand Council Treaty #3 and leadership, we work with Treaty #3 First Nations and members who have requested historical research and legal services.

TARR staff and consultants conduct historical, financial and legal research on potential land and rights claims requested by Chiefs and Councils of GCT3 First Nations. When completed, First Nations can advance the claims in the manner they wish in order to achieve monetary compensation, land return or both. The most common methods for achieving this include a negotiated claims settlement process with Canada or Ontario or both; the Specific Claims Tribunal; or a Canadian court with competent jurisdiction.



Newsletter Highlight

For the first time ever, TARR has agreed to co host the National Claims Research Workshop in Winnipeg from October 20-25, 2025 with Hudson Bay archives. We're excited about the opportunity to welcome specific claims researchers from across Canada. We will be sharing more details and extend an official invitation. Learn more at <https://ncrw.info/>



NCRW delegates tour LAC's Gatineau Preservation Campus



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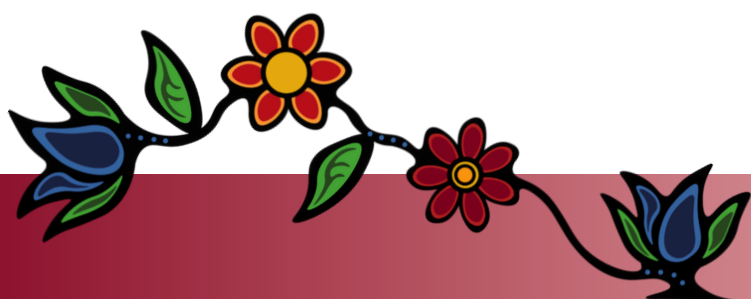


TARR BEST PRACTICES



Research staff and consultants conduct the following types of activities:

- apply for and manage funding from Canada to complete the research First Nations direct us to complete
- document recovery of historical correspondence and financial files from various archives, government agencies and libraries
- individual and group interviews with First Nation Elders and/or other knowledge keepers
- local, regional and national travel as required and approved, including Manitoba, Ontario and Canada archives and research conferences
- analysis of claim facts and writing of fully referenced historical reports
- co-ordination with legal counsel for the First Nation in preparation of a claim
- presentations of historical research results to Chiefs and Councils
- submission of completed claims to Canada, which meet the professional standards set out in the policy
- addressing any questions Canada has when they review a Claim
- answering historical information requests from Treaty 3 staff, other TARR personnel and Chiefs
- writing briefing notes for Chiefs and progress reports for the funding agency



HISTORICAL TIMELINE: TREATY

1970

With support from the Canadian Labour Congress, Phil Gardner of Eagle Lake visits all reserves to address common issues. Grand Council Treaty #3 becomes incorporated as a political advocacy body.

1988

The Sparrow Decision in the Supreme Court stated "aboriginal rights did not derive from the Royal Proclamation or any legislation of the Crown, but from the Original Occupation of the Land. (Sparrow, 1990)

1982

Canada releases policy statement on specific claims, "Outstanding Business".

1973

In the Calder Case, the Supreme Court held that aboriginal rights to land did exist, citing the 1763 Royal Proclamation.

1983 – 1985

A series of Supreme Court cases judgements give substance to how "existing treaty and aboriginal rights" of s. 35 would be interpreted.

- "Indian treaties should be given a fair, large and liberal construction in favour of the Indians" (Nowegeshig, 1983)
- Aboriginal and Treaty Rights are legally enforceable and the Crown had a "fiduciary responsibility". (Guerin, 1984)
- Treaties were to be considered "sui generis", unique and unlike either contracts or international treaties. (Simon, 1985)
- The intention to create 'mutually binding obligations' is of primary importance; the form that the treaty takes is secondary", and "preservation of the natural environment may be a precondition for the exercise of native religion" (Sioui 1990)

AND ABORIGINAL RIGHTS

1988

Canada instituted and formalized negative changes in the Specific Claims Process: a priority system, whereby each claim marched in lockstep through the system.

1992

Grand Council did participate in the AFN Chiefs Committee on Claims discussions leading up to the AFN/Canada working group, which reviewed and recommended changes to Canada's claims policy.

2002 - 2003

Canada reintroduced the Specific Claims Resolution Act to the House of Commons. On November 2003, the Act was passed into Law by a narrow margin. November 7, 2003 the Act was sent to the Right Honourable Adrienne Clarkson, Governor General for Royal Assent.

1991

Canada established the Indian Claims Commission. Access to the Commission was based on a rejection of a specific claim by Canada on compensation criteria.

1998

The Delgamuuk decision at the Supreme Court is a monumental decision that finally set a new precedent for First Nations prior ownership, which was first successful challenge to the onerous legacy of St Catherine's Milling co.

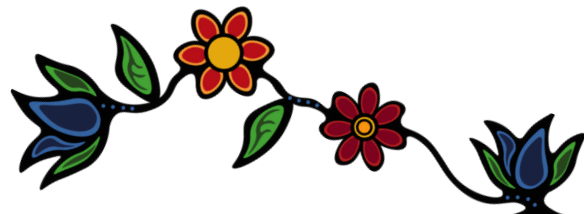
2004

Treaty #3 leads National and Regional protests against the Federal Governments unilateral drafting of their First Nations Governance Act. FNGA is finally withdrawn by the Minister of Indian Affairs.



We have now laid down the conclusion of our councils by our decisions. We tell you our wishes are not divided. We are all of one mind.

– Chief Powawassin



Examples of Claims Completed or Currently in Development

- Reserve lands and islands taken without authority or consent or compensation
- Reserve timber or minerals taken improperly or with inadequate compensation
- Trespass on Reserves for Roads, Bridges, Railways, Transmission Lines
- Flooding of Reserve land
- Failure to set aside sufficient reserve land called for in Treaty 3
- Breach of a Treaty Promise
- Breach of the Indian Act and Regulations
- Failure to set aside arable land for farming as promised in Treaty 3
- Failure to provide the equipment and supplies as promised in Treaty

Do you have an issue that you think might be a specific claim? Call the TARR office at 1-877-880-5638 for more information.

Or visit: services.aadnc-aandc.gc.ca/SCBRI_E/Main/ReportingCentre/External/externalreporting.aspx or library of archive Canada: [Library and Archives Canada](https://www.libraryandarchives.ca/)



I stand before the face of the Nation and of the Commissioner. I trust there will be no grumbling. The words I have said are the words of the Nation and have not been said in secret but openly so that all could hear and I trust that those who are not present will not find fault with what we are about to do today. And, I trust, what we are about to do today is for the benefit of our Nation as well as for our white brothers - that nothing but friendship may reign between the Nation and our white brothers. And now I take off my glove to give you my hand and sign the Treaty. And now before you all, Indians and whites, let it never be said that this has been done in secret. It is done openly and in the light of day.

- Chief Mawintoopinesse on October 3, 1873





**Contact us today at
1-877-880-5638**

What have we been up to?

TARR has been working and visiting Chief and Councils talking about their claims. They have also attended the National Research Directors meeting (NCRDM) held in Ottawa each May and the National Claims Research Workshop (NCRW) each fall. TARR continues to digitize the historical records acquired and reports we have developed for our Nations since 1973, making them easier to find and share when asked for.

What's next?

TARR will continue to visit with Chief and Councils and work on their digitizing our historical records collection. In May 2025, TARR will travel to Ottawa to participate in the NCRDM.

News

Exciting News! For the first time ever, TARR has agreed to co host the National Claims Research Workshop in Winnipeg from October 20–25, 2025 with Hudson Bay archives. We're excited about the opportunity to welcome specific claims researchers from across Canada. We will be sharing more details and send out an official invitation. Learn more at <https://ncrw.info/>



**National Claims Research Workshop
October 20-25, 2025
Wyndham Garden Hotel, Winnipeg, MB**



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TO PROTECT, PRESERVE AND ENHANCE INHERENT AND TREATY RIGHTS

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