



# Robinson Huron Treaty LITIGATION FUND



## Frequently Asked Questions

### 1 What is the annuity?

The annuity is a collective entitlement of the Robinson Huron Anishinaabek, having originally been set at “six hundred pounds of good and lawful money of Upper Canada” (approximately \$2,400). However, there is an individual component to the collective annuity. In fact, from 1850-1854 the annuity was paid to the Chiefs and it was the Chiefs’ responsibility to distribute any amounts to their citizens. In Stage 1 of the Robinson Huron Treaty case, Justice Hennessy found the reference to \$4 per person in the Treaty text “is a limit only on the amount that may be distributed to individuals, and this distributive amount is a portion of the collective lump sum annuity payable to the Chiefs and their Tribes.” The Court found that the Crown has discretion to increase this individual distributive amount, but that there is a mandatory obligation to increase the collective annuity when the economic circumstances warrant. These findings were upheld by the Ontario Court of Appeal in its decision.

### 2 When will a new annuity amount be determined?

A new annuity amount will not be determined until the case is finally resolved, either through litigation or negotiations. When the case is finally resolved, each of the 21 First Nations will get a share of the proceeds from past compensation. This includes compensation that should have been paid to our ancestors over the last 170 years. The Leadership recognizes the individual component to the annuity and will distribute some amount to individuals which has not been determined. However, the collective nature of the annuity requires portions to be set aside for the collectivity and to ensure community development and a bright future for the generations to come.

### 3 What is the process for dispersing the annuity payments?

Disbursement of proceeds to the 21 First Nations from the legal action are subject to a distribution agreement adopted by First Nation Chiefs and Councils. Disbursements to individuals will be made at the community level.

### 4 When will the case be settled?

The litigation is ongoing; however, the parties have agreed to adjourn the Stage 3 trial to focus on reaching a negotiated resolution. Ontario has also appealed the Stage 1 decision to the Supreme Court of Canada and that appeal will be heard in the fall of 2023. It is our hope the case will be settled in the near future.

### 5 Why are the negotiations confidential?

Prior to commencing negotiations with Canada and Ontario, the parties entered into a Negotiations Protocol Agreement. This agreement requires all discussions at negotiations be kept confidential. The confidentiality of the negotiations allows the parties to speak frankly to one another without fear that statements will be made publicly. Once an agreement is reached with the Crown, information will be shared with the community.

### 6 Where can we get some resources to distribute to people in our network?

Thank you for helping amplify our message. We’d be happy to provide some informational brochures for you to distribute to your network. Please email us at [info@robinsonhurontreaty1850.com](mailto:info@robinsonhurontreaty1850.com) to get in touch.