

Minister of Indian Affairs
and Northern Development



Ministre des Affaires
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

JUL - 4 2000

Mr. Phil Fontaine
Assembly of First Nations
1 Nicholas Street, Suite 1002
OTTAWA ON V7P 3J3

Original on File

Dear Mr. Fontaine:

I am writing in response to the proposal you tabled with my officials on May 9, 2000, calling for the establishment of a panel of experts to review the comprehensive claims policy. It is also to follow-up on your May 5, 2000, letter to which the Prime Minister replied on June 7, indicating that I will be responding on his behalf and also to your letter of June 26, 2000.

The Supreme Court of Canada in the *Deigamuukw* decision shed more light on Aboriginal title and lent its support to negotiations as the way to resolve issues of Aboriginal title. While the Government of Canada is not in a position to recognize, implicitly or explicitly, site specific Aboriginal title a priori, I believe our policy of seeking negotiated resolutions of outstanding issues of Aboriginal title is consistent with the *Deigamuukw* decision and the law generally.

After having reviewed your proposal thoroughly, I maintain my view that the comprehensive claims policy is sufficiently flexible to accommodate the concerns of First Nations. As I mentioned on several occasions, I am not willing to contemplate a major review of the comprehensive claims policy at the national level at this time. My view is that the negotiation process, at each of our tables across the country, where the unique circumstances of each claim can be taken into account, is the best way to resolve outstanding issues of Aboriginal rights and title. Furthermore, since most settlements have to involve provinces and territories, we find that most real change can often only occur at the tables where provincial or territorial governments participate. I remain convinced that the individual negotiation tables as well as the regional processes which are in place across the country, such as the one we have with the British Columbia Summit, the proposed made-in-Atlantic process with the Mi'kmaq of Nova Scotia, the scoping-out exercise I proposed to the Algonquins of Quebec and the approach being developed with the Innu - Montagnais of Mamuitun, bear the best chances to find mutually agreeable approaches to meet the needs and interests of all parties.

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I am always looking forward to creative approaches to issues raised by the various Aboriginal groups. I am convinced that, with the good will of all, innovative solutions can be found to resolve issues in a mutually satisfactory manner.

I look forward to our continuing dialogue on matters affecting First Nations.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Nault". The signature is fluid and cursive, with the first name "Robert" and last name "Nault" clearly distinguishable.

Robert D. Nault, P.C., M.P.