

HISTORY OF RECENT CLENCH NEGOTIATIONS

In 2007, Aamjiwnaang filed a specific claim with the government of Canada regarding the misappropriation of the moneys from the sales of their reserve lands by Mr. Clench. Since Kettle and Stony Point were part of the Chippewas of Sarnia in the 1850's when the lands were surrendered and sold, Kettle and Stony Point also launched its own claim with Canada to recover these funds.

On July 31, 2015, the Government of Canada presented a global settlement offer to Aamjiwnaang and Kettle and Stony Point of \$28,174,249, plus contribution towards reasonable legal, negotiation and ratification costs incurred by the First Nations.

The “global settlement offer” was presented by Canada as a means to fully and finally settle the Clench Claim with both Aamjiwnaang and Kettle and Stony Point.

As a condition of the settlement with Canada, Aamjiwnaang and Kettle and Stony Point must agree how the \$28 million global settlement offer will be divided between the two communities, and this agreement must be ratified by both communities.

Aamjiwnaang has been seeking 68.5% of the \$28 million global settlement offer in accordance with how assets were divided between Aamjiwnaang and Kettle and Stony Point in 1919 when the communities were divided into two separate bands. Kettle and Stony Point has argued that the \$28 million global settlement offer should be divided on a 50-50 basis between the two communities. That remains Kettle and Stony Point's position to this date.

In November 2017, Canada indicated that if the two communities were unable to come to a resolution with respect to the Clench Claim settlement proceeds, Canada would be willing to entertain the possibility of dealing with both communities separately.

Aamjiwnaang suggested pursuing a traditional circle meeting with the Chiefs and Councillors, Elders and youth from both communities to determine how the \$28 million would be divided. However, Kettle and Stony Point has declined to participate in a traditional circle, and instead wishes to pursue binding arbitration – a non-Indigenous and adversarial dispute resolution mechanism.

On May 15, 2018, Aamjiwnaang held a community information meeting to update the community on the Clench Claim negotiations. Chief & Council advised that the community would be asked to participate in this survey to determine how the community wishes to proceed with respect to settling the Clench Claim with Kettle and Stony Point.