

QUESTIONS & ANSWERS

Question 1: What could happen if Aamjiwnaang chooses to continue negotiating with Kettle and Stony Point?

Answer: If too much time passes and the communities cannot reach an agreement, there is a risk that Canada may withdraw its offer of \$28 million. Canada would then have to obtain a new mandate to settle the Clench Claim, and they could offer less money in future negotiations.

Question 2: What could happen if Aamjiwnaang chooses to negotiate its own separate settlement agreement with Canada?

Answer: Canada would have to obtain a new mandate to negotiate with Aamjiwnaang, and it is possible that Aamjiwnaang could end up with less money than it would receive if it reaches a settlement to divide the current offer of \$28 million with Kettle and Stony Point.

Question 3: What could happen if Aamjiwnaang chooses to enter into binding arbitration with Kettle and Stony Point to determine how the \$28 million global settlement offer should be divided?

Answer: The arbitrator's decision will be final and binding on both communities. Also, the arbitrator's decision would have to be ratified by both communities before any funds could be released by Canada. Since the final decision would be made by the arbitrator and not by the communities themselves, there is a risk that one or both of the communities may not ratify the decision. If the decision is not ratified by both communities, Canada could withdraw its offer of \$28 million and negotiations with Canada may have to start over. If negotiations do start over, there is a possibility that Canada may offer less money to settle the Clench Claim.

Also, it will likely take at least two (2) years for the entire arbitration process to take place. The arbitrator will likely be a non-Indigenous person with little or no knowledge of the communities' Anishinaabe culture and values.

Question 4: What could happen if Aamjiwnaang chooses to divide the \$28 million with Kettle and Stony Point on a 50-50 basis?

Answer: Both communities will have to ratify the agreement. If ratified, both communities would then enter into an agreement with Canada to finally settle the Clench Claim on a 50-50 basis between the two communities.