



CHIEFS AND COUNCILS SAUGEEN OJIBWAY NATION

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AN UPDATE TO SAUGEEN AND NAWASH MEMBERS ON OUR TREATY CLAIM

Our Treaty Claim against Canada and Ontario was filed in 1994. It is split into two phases – the first phase was about whether the Crown breached its obligations to us, and the second phase is about what we should get as a remedy for the Crown's breaches.

We won in the first phase. The Court found that the Crown breached its honour (1) by failing to diligently implement the promise it made to us in Treaty 45 ½ to protect the Saugeen Peninsula from squatting and encroachment; and (2) when a Crown official who told our ancestors that the government would not keep its Treaty promises and would take the Saugeen Peninsula from us even if we did not consent.

Since we won the first phase of the Treaty Claim, we have urged Canada and Ontario to reach an agreement with us about remedies to make up for their breaches. Negotiating a resolution would be the honorable path, but they have refused. So we are preparing for a trial about remedies, which is scheduled to happen in late 2030/early 2031.

In this next phase, we are seeking two main things: (1) the return of lands on Saugeen Peninsula that are owned by Canada or Ontario; and (2) compensation (money). We are not seeking the return of any lands that are owned by private individuals.

However, now we are facing another obstacle: Canada has brought a motion to argue that land back is not an available remedy in our case. They are saying the Court should decide this *before* we even get to a trial of the second phase.

For our people, the Treaty Claim has always been about protecting our relationship with our lands and waters. During membership updates over the past couple of years, we heard that the priority should be getting lands back. A land back remedy would best repair the harm caused by the Crown's broken promise in Treaty 45 ½ to protect the Saugeen Peninsula for us forever.

We have instructed our lawyers to fight Canada's motion. **The hearing of this motion scheduled to be heard on October 2, 2026 in Toronto (130 Queen St. West – Courtroom #4) at 10 a.m.**

October 2 is also Duluth Day, the day we honour the Duluth Declaration and our ongoing sovereignty, rights and jurisdiction in Saukiing Anishnaabekiing. Joint Council is working on arrangements so our people can attend the hearing in Toronto. We will also see if we can provide a virtual option for watching the hearing. Please look out for updates on these arrangements to join us as we continue to honour our obligations to our Saukiing Anishnaabekiing.

Miigwetch,

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