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**INDIAN CLAIMS COMMISSION PROCEEDINGS**

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**COMMISSIONERS**

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## FROM THE CO-CHAIRS

This is the tenth volume of the *Indian Claims Commission Proceedings* to be published and we are pleased to present it on behalf of the Commissioners and staff of the Indian Claims Commission. The volume includes four inquiry reports of the Commission and two letters from the Minister of Indian Affairs and Northern Development responding to the Commission's recommendations in completed inquiries.

The first two reports involve claims that were accepted by Canada for negotiation under the Specific Claims Policy without the need for a full inquiry into their merits. In the case of the Sturgeon Lake First Nation, Canada agreed to negotiate compensation in relation to the Red Deer Holdings agricultural lease claim. The other involved the Collins Treaty claim of the Chippewa Tri-Council, which represents the Chippewas of Beausoleil First Nation, the Chippewas of Rama First Nation, and the Chippewas of Georgina Island First Nation. Both of these reports illustrate the usefulness of the Commission's planning conferences as a method of resolving disputes by bringing representatives of the First Nation and Canada together to discuss the issues and the merits of the claim in an informal, open manner.

The third report involves an inquiry into whether the Friends of the Michel Society have standing under the Specific Claims Policy to submit several specific claims to Indian Affairs. The Society represents a number of descendants and former members of the Michel Band, which was completely enfranchised in 1958. The Society claimed that the 1958 enfranchisement was invalid and various land surrenders were improper, but Canada declined to consider the merits of these claims on the ground that only existing Indian bands can submit claims for consideration under the Specific Claims Policy. The Commission conducted an inquiry and released a report setting out its findings and recommendation in March 1998.

The final report published in this volume is the Commission's inquiry into the claim of the Athabasca Chipewyan First Nation involving the W.A.C. Bennett Dam and damage to Indian Reserve (IR) 201. This unique claim raises questions about the nature and scope of the Crown's fiduciary obligations to prevent, mitigate, or seek compensation on behalf of the Athabasca Chipewyan First Nation for damages caused to IR 201 and its traditional hunting, fishing, and trapping economy caused by the construction and operation of the W.A.C. Bennett Dam in British Columbia.

FROM THE CO-CHAIRS

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Also contained in this volume of the *Proceedings* are copies of two letters from the Minister of Indian Affairs and Northern Development with respect to the claims of two First Nations for negotiation under the Specific Claims Policy. These letters indicate that the Government of Canada accepts the Commission's recommendations in relation to its reports of inquiry into the treaty land entitlement claims of the Fort McKay First Nation and the Kawacatoose First Nation.

Daniel J. Bellegarde  
Co-Chair

P.E. James Prentice, QC  
Co-Chair

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## ABBREVIATIONS

BCCA	British Columbia Court of Appeal
BCR	Band Council Resolution
BCSC	British Columbia Supreme Court
CA	Court of Appeal
CIL	Canadian Industries Limited
CNLR	Canadian Native Law Reporter
CPR	Canadian Patent Reporter
DIAND	Department of Indian Affairs and Northern Development
DLR	Dominion Law Reports
DLS	Dominion Land Surveyor
DREE	Department of Regional Economic Expansion
DSGIA	Deputy Superintendent General of Indian Affairs
Ex. CR	Exchequer Court of Canada Reports
FC	Canada Federal Court Reports
FCA	Federal Court Appeal Division
FCTD	Federal Court Trial Division
FTR	Federal Trial Reports
HC	Haute Cour
IAB	Indian Affairs Branch
ICC	Indian Claims Commission
ICCP	Indian Claims Commission Proceedings
IR	Indian Reserve
JHA	Journal of the House of Assembly
KB	Court of King's Bench
NA	National Archives of Canada
NBCA	New Brunswick Court of Appeal

ABBREVIATIONS

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NBWA	New Brunswick Water Authority
<i>NRTA</i>	<i>Natural Resources Transfer Agreement</i>
NR	National Reporter
NSCA	Nova Scotia Court of Appeal
NSR	Nova Scotia Reports
<i>NWPA</i>	<i>Navigable Waters Protection Act</i>
ONC	Office of Native Claims
OR	Ontario Reports
PADPG	Peace-Athabasca Delta Project Group
PFRA	Prairie Farm Rehabilitation Administration
QB	Court of Queen's Bench
QVIDA	Qu'Appelle Valley Indian Development Authority
RCAP	Royal Commission on Aboriginal Peoples
RDH	Red Deer Holdings Ltd
RPR	Real Property Reports
RSBC	Revised Statutes of British Columbia
RSC	Revised Statutes of Canada
RSNB	Revised Statutes of New Brunswick
RSUC	Revised Statutes of Upper Canada
SC	Statutes of Canada
SCC	Supreme Court of Canada
SCR	Canada Supreme Court Reports
SCW	Specific Claims West
SGIA	Superintendent General of Indian Affairs
SNB	Statutes of New Brunswick
TD	Trial Division
WWR	Western Weekly Reports



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