



ʔAKISQ̓NUK FIRST NATION

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ʔakisq̓nuk claim to Madias Tatley land confirmed by tribunal

ʔakisq̓nuk / Windermere – A recent ruling by the Specific Claims Tribunal has affirmed the ʔakisq̓nuk First Nation’s claim of approximately 3,000 acres of land in the Madias Tatley area.

Madias Tatley is immediately east of the ʔakisq̓nuk First Nation.

ʔakisq̓nuk applied to the tribunal to review reserve creation and additional land decisions that were never implemented. The tribunal found that in ignoring the decisions, Canada breached its legal obligations as fiduciary for the First Nation.

The decisions to exclude land in the Madias Tatley area from the ʔakisq̓nuk Reserve date to an 1884 recommendation by the Indian Reserve Commissioner, and another in 1915 by the federal-provincial Royal Commission on Indian Affairs to include the Madias Tatley area in the reserve. These recommendations were not acted upon by the government despite the long-recognized and extensive use of the land by the Ktunaxa people of the ʔakisq̓nuk First Nation.

“We are pleased with the Specific Claims Tribunal decision,” said Lorne Shovar, ʔakisq̓nuk First Nation Chief. “This has been a long battle to correct an injustice and we must honor and acknowledge the hard work of many generations of ʔakisq̓nuk Leadership, Elders and families that has led to this decision, many of whom are no longer with us.”

“Building a new relationship with Aboriginal people was one of the priorities of the new Federal Government,” continued Shovar. “With the tribunal’s decision behind us, I hope this decision will be honored in the spirit of reconciliation between Aboriginal people and Canada.”

The *Specific Claims Tribunal Act* came into force after being passed by the Canadian House of Commons and receiving Royal Assent in 2008.

According to the Specific Claims Tribunal Canada website: “The SCTA radically changed the current specific claims process by establishing an independent tribunal comprised of superior court judges with the authority to make binding decisions on the validity of claims and compensation awards.



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