
Fact Sheet

MUSKODAY FIRST NATION TREATY LAND ENTITLEMENT SETTLEMENT

Background

The Muskoday First Nation is located approximately 19 kilometres southeast of Prince Albert. In 1876, Canada and several First Nations in Saskatchewan and Alberta — including the Muskoday First Nation — entered into Treaty Six. The Treaty stated that the Crown would set aside reserves, the size of which was not to exceed one square mile (2.59 square kilometres) per family of five (128 acres [51.8 hectares] per person).

History of the Claim

In 1998, the Muskoday First Nation submitted a Treaty Land Entitlement (TLE) claim alleging that the First Nation did not receive the amount of reserve land to which it was entitled according to Treaty Six. TLE claims are intended to settle the land shortfall owed to those First Nations that did not receive all the land to which they were entitled under historical treaties.

In 2003, the Government of Canada accepted, for the purpose of negotiation, and on a without prejudice basis, that Muskoday First Nation had sufficiently established that Canada breached a lawful obligation to the Muskoday First Nation in that there is an outstanding TLE shortfall.

Tripartite negotiations among Canada, Saskatchewan and the Muskoday First Nation commenced in 2004 and were facilitated by the Indian Specific Claims Commission. It was agreed by all parties that the terms of the 1992 Saskatchewan TLE Framework Agreement would form the basis for the settlement agreement.

The TLE Framework Agreement, dated September 22, 1992, provided 25 Saskatchewan First Nations with \$440 million over 12 years to purchase land, mineral rights and improvements, including buildings and structures affixed to the lands. Five other Saskatchewan First Nations have signed TLE Agreements since 1992 and received just over \$110 million in compensation.

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Government of
Saskatchewan

Canada

Overview of the Settlement

Muskoday First Nation held a ratification vote on May 23, 2007. The required threshold was an absolute majority, that is, 50% plus 1 of all eligible voters voting affirmatively. At the vote, 62% of the eligible voters voted in favour of the settlement agreement.

Under the settlement, Muskoday First Nation is entitled to purchase up to 38,014 acres (15,384 hectares) of land on a willing seller/willing buyer basis to be set apart as a reserve. The First Nation will receive a total of approximately \$10.8 million for an equity payment, a mineral payment; and negotiation, ratification and acquisition costs.

Canada and Saskatchewan will also provide tax loss compensation to rural municipalities and school divisions in such rural municipalities where taxable land is set apart as reserve under the settlement.

Settlement of this claim will enable the Muskoday First Nation to invest directly in Saskatchewan's economy through the purchase of land and pursuit of economic development opportunities. It will also help clarify land and resource ownership, and create a positive and stable investment climate for the First Nation and surrounding communities.