



Robinson Huron Treaty LITIGATION FUND

Atikameksheng
Anishnawbek
Aundeck Omni
Kaning
Batchewana
First Nation
Dokis First Nation
Henvey Inlet
First Nation
M'Chigeeng
First Nation
Magnetawan
First Nation
Mississauga
First Nation
Nipissing
First Nation
Ojibways of
Garden River
Sagamok
Anishnawbek
Serpent River
First Nation
Shawanaga
First Nation
Sheguiandah
First Nation
Sheshegwaning
First Nation
Thessalon
First Nation
Wahnapiitae
First Nation
Wasauksing
First Nation
Whitefish River
First Nation
Wiikwemkoong
Unceded Territory
Zhiibaahaasing
First Nation

UPDATE ON RHT CHIEFS AND TRUSTEES MEETING ON MAY 27, 2024

The Robinson Huron Treaty First Nations Chiefs and Trustees met on Monday, May 27, 2024, to deal with several issues. One of the issues that has come up, as a result of deliberations amongst the Chiefs and Trustees, is whether the compensation proceeds are “trust assets”. If they are trust assets, then a court will have to scrutinize and approve the accounts, through a process called “passing of accounts”, before the funds can be distributed to RHT First Nations. This could cause delays. The Trustees have decided that the quickest solution is to retain independent legal counsel to provide advice and representation on the issue of whether the compensation proceeds are trust assets.

We hope to have this issue resolved quickly such that it does not delay the distribution of compensation to RHT First Nations currently planned for early August.

The RHTLF is of the view, as expressed in the Trust Indenture which established the Trust, that the compensation proceeds are not “trust assets”. The RHTLF was established for the sole purpose of conducting the annuities claim litigation/negotiation and retaining and instructing legal counsel for this purpose. It was not set up to hold compensation proceeds in trust. Any “compensation/settlement proceeds”, are to flow through the RHTLF to the RHT First Nations (after the return of First Nation contributions and payment of legal fees), according to the Compensation Disbursement Agreement, which was approved by RHT First Nations by Council Resolution.

In fact, the Trust Indenture specifically states, in Article I, that:

“The definition of “Assets” excludes anything paid out or distributed (whether out of income or capital) in the normal course of administration or pursuant to the provisions of the Indenture, and excludes any Compensation/Settlement Proceeds distributed according to the terms of any Compensation Disbursement Agreement entered into pursuant to this Indenture.”



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Nevertheless, the Trustees have a duty to be prudent, which is why we have decided to obtain independent legal representation, which might involve a court application to determine the trust asset issue. We have instructed counsel to proceed with this matter on an expedited basis.

The RHTLF is committed to transparency, so we will let you know if we expect any delays. We are hoping that the Implementation timeline will be met to allow distribution to communities as soon as possible.