



COWS AND PLOWS - FREQUENTLY ASKED QUESTIONS

What is this settlement for?

In 2018, ERFN submitted a specific claim against the Government of Canada for Canada's ongoing failure to meet its lawful obligations to Treaty 10 to provide agricultural and economic assistance.

What's happened so far?

After the claim was submitted in 2018, Canada took the standard three years to assess the claim.

In 2021, after the three year waiting period, Canada proposed, and ERFN agreed to negotiate a resolution to the cows and ploughs claim.

Members were eager to see a serious offer. In August 2022, Canada proposed an offer and following that a formal offer was made in December of 2022. In February of 2023, Chief and Council agreed to the offer dependent on a ratification vote from the membership. We are pleased with the offer and feel good about bringing this to the membership. This is an important moment for the Nation.

What is the offer?

Canada has offered \$90,860,500.00 for the full and final settlement of Treaty 10 Agricultural Benefits Specific Claim with ERFN. This amount was calculated to include contribution towards the legal fees, negotiation costs, community outreach and communication, as well as ratification costs that will be incurred by ERFN as part of the claims and negotiation process.

What are we giving up to take the offer?

The settlement accounts for a full and final settlement of:

- all matters past, present and future as promised in Treaty 10, related to assistance in agriculture or stock-raising or other work;
- the one-time promise in Treaty 10 of flags and medals;
- the historic shortfall, up to the date of settlement, of the promise in Treaty 10 of suits of clothing,

- the historic shortfall, up to the date of settlement, of the promise in Treaty 10 of ammunition and twine; and
- all current matters in this claim.

What happens next?

While Canada's formal offer to settle is an important moment for the Nation, there is still much work to do. In the coming months, ERFN and Canada must negotiate the settlement agreement which will require guidance from our Elders and members, as well as recommendations from legal and financial advisors. ERFN must also consider what, in the best interest of the Nation, should we do with the money? Please watch the website for updates.

Why is Des Nedhe getting a portion of the claim?

The claim and negotiation process involves many upfront expenses. ERFN considered three other options to fund the claim process:

- Paying the legal fees outright regularly from ERFN funds
- A contingency fee agreement directly with our legal counsel
- A costly insured loan

Chief and Council rejected these options as we had the unique ability to partner with Des Nedhe who agreed to front the costs for legal counsel and other related costs to advancing the claim. This arrangement maximized the amount of money staying in ERFN while eliminating the burden of ongoing legal fees or expensive insurance and interest fees. We feel fortunate to have been able to keep these dollars within the Nation.

When is the ratification vote?

While no date has been chosen yet, we are working towards a ratification vote sometime in late summer or fall.

Who will vote at the ratification vote?

Eligible voters over the age of 18 whose name appears on the ISC list will be entitled to vote at the the ratification vote.

Will children get payouts?

This is still unknown. We are committed to getting Elder and member feedback to guide us in making decisions about the settlement.



Why wouldn't we just take a full per-capita settlement?

Chief and Council want to ensure they are doing their due diligence in enacting the vision Chief William Apesis had for the future when he signed on to the Treaty, as well as the current wishes of the membership. Setting up a trust for a portion of the settlement could be of benefit to the Nation in providing long-term investments in education, mental health and addictions, culture revitalization and more. We are committed to engaging with our Elders and members to guide us through all decision-making. We are also seeking legal and financial advice. The settlement terms will be brought to vote.

What happens once we vote?

If we receive a "yes" vote, the money will flow to the Nation. If we get a "no" vote that means we will return to negotiations.