



huu ay aht

ANCIENT SPIRIT, MODERN MIND

## **Specific Claims Tribunal decision awards Huu-ay-aht First Nations more than \$13.8 million**

Anacla, B.C. (December 13, 2016) Yesterday, the Specific Claims Tribunal released a decision awarding more than \$13.8 million in compensation to Huu-ay-aht First Nations for breaches of duty Canada committed between 1948 and 1969.

The Tribunal was established by the Government of Canada in 2008. It is a judicial body, like a court, that hears claims by First Nations against Canada regarding past wrongs when no resolution to the claim has been reached through negotiations.

Huu-ay-aht filed a claim with the Tribunal in 2011 about logging that took place on former Numukamis IR1 between 1948 and 1969. Huu-ay-aht chiefs petitioned Canada at the time of the logging operations, asserting that the licence should be cancelled, to no avail.

In 2014, the Tribunal found that Canada had breached its fiduciary obligations in relation to the way the timber was sold. Justice Whalen found that Canada had not acted in Huu-ay-aht's best interests, had entered into an unlawful arrangement, and that Huu-ay-aht had received far less compensation than it ought to have for its timber.

"This is truly amazing for myself in the position and responsibility I have for my Huu-ay-aht tribe," Tayii H̓awil̓ ̓liišin (Derek Peters) explained. "In the name I carry as head chief, it's a huge accomplishment. I know taking this on was in the hands of the ̓liišins before me, and now seeing it come to a decision is very amazing for my family and the entire Huu-ay-aht Nation. It was those leaders before my time who put us on this path, and now I get to see it happen in my time."

The Tribunal found that the historical damages had to be brought forward to 2016 value in order for Huu-ay-aht to receive proper compensation. Yesterday's decision now confirms the compensation owing.

Huu-ayaht's legal counsel, Kate Blomfield of Ratcliff & Company, stated, "We are honoured to have assisted Huu-ay-aht First Nations in seeking justice on this claim and are pleased with the result. The Tribunal's decision recognizes that compensation must address the losses that the community has suffered due to the breaches in this case."



# huu ay aht

ANCIENT SPIRIT, MODERN MIND

Huu-ay-aht elder Benson Nookemis expressed, "I'm so proud of our previous and present Huu-ay-aht government and their accomplishments. I would also like to congratulate our legal team. I'm so thrilled and happy and am grateful for all the work our government and legal team have done for our citizens."

Chief Councillor Robert J. Dennis Sr. said he is thankful for all of the chiefs that kept this issue going through the decades, including Louie Nookemus, Jack Peter, Arthur Peter, Spencer Peter, and Jeff Cook. He said it was rewarding to work with this team, and he is glad their hard work has paid off:

"Today is a great day for Huu-ay-aht First Nations," Dennis explained. "Justice has been served almost 68 years after Canada refused to protect our timber interests. We are hopeful that the Minister of Indigenous Affairs, Caroline Bennett and the Minister of Justice, Jody Wilson-Raybould, will choose the path of reconciliation over the path of court appeals. Together we have an opportunity to advance the important work of long term reconciliation."

## *About Huu-ay-aht First Nations*

The Huu-ay-aht First Nations is an indigenous community located on the west coast of Vancouver Island in British Columbia. It is a part of the Nuuchah-nulth culture group, formerly called the Nootka. Huu-ay-aht is a party to the Maa-nulth Final Agreement, a modern treaty that grants its five member-nations constitutionally-protected self-government as well as ownership, control and law-making authority over their lands and resources.

Website: <http://www.huuayaht.org/>

Embedded Video Available: <https://youtu.be/9nrji5O9d5g>

For any inquiries please contact:  
Heather Thomson, Communications Coordinator  
Huu-ay-aht First Nations  
Office: 250-723-0100 cell: 250-720-7776  
[Heather.t@huuayaht.org](mailto:Heather.t@huuayaht.org)

Office: Anacla Government Office, 170 Nookemus Road, Anacla, B.C., V0R 1B0

Phone: 1.888.644.4555 | 250.728.3414 | Fax: 250.728.1222

Mail: Port Alberni Government Office, 4644 Adelaide Street, Port Alberni, B.C., V9Y 6N4 | Phone: 250.723.0100 | Fax: 250.723.4646