

Media Release

FSIN Communication Unit



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FSIN Wins Legal Right to Challenge Proposed First Nations Governance Act

On August 26, 2003, Madam Justice Judith S. Snider, Federal Court of Canada, rejected the Federal Crown's attempt to strike the FSIN's Statement of Claim challenging the First Nations Governance Act also known as Bill C-7. This was the Federal Crown's second unsuccessful attempt at striking the FSIN's Statement of Claim.

"This is a significant victory for our First Nations in Canada. We've set the legal groundwork that may be necessary for us to build on if the government proceeds in making the First Nations Governance Act law", said Federation of Saskatchewan Indian Nations Chief Perry Bellegarde.

In ruling against the Federal Crown, Justice Snider noted that "the content of the legislation in the present case is more clearly linked to aboriginal and treaty rights. In other words, the plaintiffs have brought some evidence, in their Amended Statement of Claim, that they have a right to be consulted when the federal government proposes legislation which will take away some of their existing rights."

"We've stated time and again, within our Chiefs' Assemblies, in the media, in our on-going lobby efforts and in this legal challenge, government must refrain from forcing unilateral changes that impact on our peoples' constitutionally protected rights, as well as our lives, lands, resources and governance structures," Chief Bellegarde said. "This is a very simple concept. First Nations' citizens and leaders need to be properly consulted by government if government intends on making legislative changes that will impact our lives. I'm extremely pleased that the Federal Court understands the significance of this case and that we can proceed with challenging the proposed legislation."

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