

# Wabauskang First Nation

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## *Press Release*

### **Supreme Court Confirms Ontario Must Respect Treaty Rights**

**Wabauskang First Nation  
Treaty 3  
July 11, 2014**

The Supreme Court of Canada issued its decision in the *Keewatin* appeal today. The Court held that Ontario is burdened with heavy legal responsibilities when making land-use decisions in Treaty 3 that affect Treaty harvesting rights.

The Supreme Court's decision was based on a challenge brought by Grassy Narrows First Nation and Wabauskang First Nation to the Ontario Court of Appeal's 2013 decision that there is no role for the federal government in ensuring the protection of Treaty rights when Ontario makes decisions about lands and resources in Treaty 3.

At the Supreme Court, Wabauskang and Grassy Narrows argued that Canada is obligated to ensure that Treaty rights are protected when the provincial government makes decisions about lands and resources that could affect those Treaty rights. The Court disagreed and instead found that Ontario is directly responsible for ensuring that Treaty rights are protected.

"The Supreme Court's decision is inconsistent with our understanding of our Treaty relationship," said Wabauskang Chief Martine Petiquan. "Our Treaty is with Canada. It is Canada that is responsible for fulfilling the promises made to the people of Treaty 3. We have always maintained, and will continue to affirm, that the federal government needs to be involved in ensuring that our Treaty rights are respected."

In dismissing the appeal, the Supreme Court imposed onerous legal obligations on Ontario when making land-use decision that affect Treaty rights.

"We will not be dismissed, no one is taking our resources without us benefiting and no one is going to destroy our children's future," said Wabauskang First Nation Councillor Jo-Anne Petiquan-Moore. "We will fight for our resources."

“We are putting the province and industry on notice that they cannot continue to ignore our Treaty,” said Wabauskang Chief Martine Petiquan. “It is no longer business as usual. We intend to hold the province to account. If it doesn’t fulfil the responsibilities the Court has said it has, we’ll be back in court to ensure that our lands are protected and our Treaty is respected.”

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