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# CHIPPEWAS OF THE THAMES FIRST NATION



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## PRESS RELEASE

### **Supreme Court Grants Chippewas of the Thames First Nation Challenge to Line 9: Community Hopeful of Meaningful Consultation with the Crown**

**MUNCEY, March 10, 2016** – the Supreme Court of Canada has granted the Chippewas of the Thames leave to appeal a decision of the Federal Court of Appeal relating to an Application before the National Energy Board to repurpose the Line 9 Pipeline.

At issue is whether the Crown exercised its duty to meaningfully consult and accommodate the Chippewas on a project that may potentially impact their Aboriginal and Treaty rights. The Chippewas are challenging the Crown's paternalistic policies based on denial and extinguishment of rights. Relying on s. 35 of the Constitution and previous Supreme Court rulings, the First Nation continues to urge negotiation and reconciliation.

Chief of the Chippewas of the Thames, Leslee White-Eye welcomed the decision, saying, "Our community is pleased by this forward step but the path before us is still long as we continue to seek protection of our Aboriginal and Treaty rights. We need to bring home that we are not acting alone in the action, nor that it is for our sole benefit but an attempt to seek protection of our water – these energy developments are one of many across the nation impacting our rights".

According to Chief White-Eye, "Our members were very distressed by the Federal Court of Appeal's dismissal of the appeal when they failed to acknowledge our Aboriginal and Treaty rights. The Court did not consider previous decisions, which establish the Crown's duty to meaningfully consult with and accommodate us on projects that may potentially impact those rights, such as Line 9."

The Crown's failure to consult has stalled negotiations, prevented Chippewas of the Thames from benefiting from their collective rights and has impeded economic development for all stakeholders. It has also undermined the Nation's development as a government. Still, Chief White-Eye remains optimistic by stating that "a positive final decision from the Supreme Court will hopefully pave the way for reconciliation with the Crown."

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