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Assembly of First Nations congratulates Tsilhqot'in National Government on Landmark Legal Victory at Supreme Court of Canada, Calls on Federal Government to Work with First Nations on New Approaches to Support Real Reconciliation with First Nations

(Ottawa, ON) – The Assembly of First Nations (AFN) today commented on the Supreme Court of Canada's landmark decision in *William v. Canada*, a case dealing with the nature and scope of Aboriginal title and governance over Aboriginal title lands. The Tsilhqot'in Nation took the case to the country's highest court to defend their title and rights to their traditional territories in the central interior of British Columbia seeking a declaration of Aboriginal title.

In a unanimous decision written by Chief Justice Beverly McLachlin, the Court upheld the trial judge's findings that the Tsilhqot'in had proven Aboriginal title to approximately 200,000 hectares of land and went further than the trial judge by overturning the court of appeal and actually granting a declaration of Aboriginal title. This is the first time a declaration of Aboriginal title has ever been granted by a Canadian court.

AFN spokesperson and Regional Chief for Quebec/Labrador Ghislain Picard said, "On behalf of the First Nations across the country, we extend our congratulations and convey our gratitude to Chief Roger William, the Xeni Gwet'in and the Tsilhqot'in National Government for their leadership and determination in bringing this case forward and taking on this challenge over the past 25 years. This is truly a landmark decision that compels us all to embark on a new course. The court has clearly sent a message that the Crown must take Aboriginal title seriously and reconcile with First Nations honourably. This decision will no doubt go down in history as one of the most important and far reaching ever rendered by the Supreme Court of Canada."

AFN Regional Chief of British Columbia Jody Wilson-Raybould stated, "This decision means we now have the opportunity to settle, once and for all, the so-called 'Indian land question' in B.C. and elsewhere in Canada where Aboriginal title exists through good faith negotiations. But in the short term, this decision will expose for all Canadians just how ineffective and limited the current mechanisms are for Canada to actually reconcile with First Nations when the Crown is required to do so. It is essential that the federal government coordinate its efforts and develop a broad reconciliation framework, which includes scrapping the existing comprehensive claims policies, overhauling the broken B.C. treaty making process and developing new and appropriate mechanisms to support reconciliation including self-government recognition legislation. This decision is the wake-up call the government needs and the Prime Minister must now take seriously First Nations' solutions and proposals aimed at reconciliation. With leadership, our country can and will move forward from its colonial past towards a new spirit of cooperation

based on respect and understanding and where First Nations become full partners in confederation.”

The *William* case arose from what was initially the Xenigwet'in and Tsilhqot'in Nation's response to logging activities within their territory more than two decades ago, when the Nation engaged in direct action and commenced legal proceedings to protect their title and rights. In November 2007, Justice Vickers of the B.C. Supreme Court found that the Tsilhqot'in had proven Aboriginal title to approximately 200,000 square hectares of land (representing approximately half of the Tsilhqot'in traditional territory claimed in the suit) in and around the remote Nemiah Valley, south-west of Williams Lake, B.C.. Vickers, however, failed to grant an actual declaration of Aboriginal title based on issues he had with the pleadings. At the B.C. Court of Appeal, the court would also not grant a declaration of Aboriginal title but went further in saying that the trial judge had overreached in determining the extent of Tsilhqot'in title lands and that if a declaration could be granted it would only be for “specific sites”. On September 24, 2012, Roger William and the Tsilhqot'in Nation sought leave to appeal the B.C. Court of Appeal's decision, which was granted by the Supreme Court of Canada and heard on November 7, 2013. AFN was granted status as an intervenor at the Supreme Court of Canada hearing in support of the Tsilhqot'in Nation.

The Assembly of First Nations is the national organization representing First Nations citizens in Canada. Follow AFN on Twitter @AFN_Comms, @AFN_Updates.

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