



FIRST NATIONS SUMMIT

## NEWS RELEASE

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*For Immediate Release*  
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### **First Nations Summit Applauds BC Court of Appeal Decision in *Musqueam Indian Band v. British Columbia (Minister of Sustainable Resources)***

(Vancouver, BC) The First Nations Summit is applauding the ruling of the BC Court of Appeal (BCCA) released today in the *Musqueam Indian Band v. British Columbia (Minister of Sustainable Resources)* case.

In this case the Musqueam First Nation, through appeal, sought to block the transfer of lands (known as the UBC Golf Course lands) from the Crown to the University of British Columbia because the Crown had not fulfilled its legal obligation to consult and accommodate with the Musqueam First Nation. In their decision the three BCCA Justices unanimously agreed to allow the Musqueam appeal as the consultation and accommodation process the Musqueam was subjected to was defective.

"It is very clear that the BCCA clearly took into consideration the recent Supreme Court of Canada decisions in the *Haida* and *Taku River Tlingit* cases. This case along with others such as *Homolco (Blaney) v BC* clearly demonstrate governments prevailing attitude of 'business as usual' is not good enough. The legal ground has shifted in very significant and constructive ways. It is important that the courts have pushed the Crown and First Nations to work together towards fair and just agreements" said Grand Chief Edward John, a member of the First Nations Summit Political Executive.

"We commend the Musqueam First Nation for bringing this important matter before the courts. The First Nations Summit encourages the provincial and federal governments to work with us to ensure the ground rules and policies they work under will be adjusted to reflect the reality of the continued existence of Aboriginal Title and Rights in Canada as reflected in the Constitution of Canada and recent court decisions" added Chief John.

The First Nations Summit intervened in support of Musqueam. The Summit hopes the decision will give a boost to First Nations-Crown negotiation processes. The Courts have once again provided greater clarity regarding the Crown's legal obligations to deal fairly and honourably with First Nations.

Further discussions on this important decision will occur later this week when First Nations Chiefs in BC gather in North Vancouver for a First Nations Summit meeting. A complete agenda and directions on viewing the webcast of the First Nations Summit meeting are available on the Summit website at [www.fns.bc.ca](http://www.fns.bc.ca).

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The First Nations Summit speaks on behalf of First Nations involved in the treaty negotiation process in British Columbia. Further background information on the Summit may be found at [www.fns.bc.ca](http://www.fns.bc.ca).

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