



FIRST NATIONS SUMMIT

NEWS RELEASE

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First Nations welcome the Supreme Court of Canada's favourable ruling on the Aboriginal Right to harvest wood

Coast Salish Territory/West Vancouver, BC - The First Nations Summit welcomes the Supreme Court of Canada's unanimous decision today, in *Sappier and Gray v. The Queen*, to dismiss the Crown's appeal to convict two men from the Maliseet Nation and one from the Mi'kmaq Nation for harvesting wood in their traditional territories. In doing so, the Court cited their Aboriginal right to harvest wood for domestic use.

"This most recent judgment is consistent with previous Aboriginal rights cases that confirm Aboriginal peoples have an inalienable right to harvest natural resources in their traditional territories whenever this is shown to be part of their distinctive cultures," said Grand Chief Ed John, executive member of the First Nations Summit.

He added, "The Supreme Court has once again rejected government denials and resistance to Aboriginal peoples' rights to lands and resources, in this case, wood. Judgment after judgment keeps telling the governments not to deny us any longer, deal with us and deal with us fairly, and be much more willing to work with us so we can move forward together."

In this case, the Court confirmed the existence of a communal Maliseet and Mi'kmaq right to harvest wood for domestic uses. This includes, for example, the

right to harvest wood not only for constructing homes, furniture and flooring but also for such purposes as tools, fuel, transportation, baskets, pots and cultural uses. This right essentially encompasses all domestic uses that were part of the aboriginal way of life prior to contact, exclusive of commercial purposes.

"This ruling is good news for all First Nations," said Chief Judith Sayers, executive member of the Summit. "It's yet another validation of what we've been saying all along, that we have rights to all of our resources, not just to animals and fish, but to everything that was provided to us by the Creator for our well-being and cultural expression."

Just as importantly, the Supreme Court instructed "Courts must be flexible and be prepared to draw necessary inferences about the existence of and integrality of a practice when direct evidence is not available."

"This guidance should help lessen the burden on Aboriginal peoples to prove without a doubt they hold unequivocal ties to traditional lands and resources, and that the existence of these binds are self-evident, and that they existed prior to the arrival of Europeans," said Dave Porter, also an executive member of the Summit.

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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 can be found at www.fns.bc.ca.

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