



Assembly of Manitoba Chiefs  
EMPOWERING OUR NATIONS

FOR IMMEDIATE RELEASE  
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## **AMC intervenes at the Supreme Court of Canada in a case that has significant implications for all historically disadvantaged groups**

**Treaty One Territory, MB** - The Assembly of Manitoba Chiefs (the “AMC”) will intervene at the Supreme Court of Canada in a case affecting all historically disadvantaged groups, including First Nations, as the Court sits for the first time outside of Ottawa.

The decision on appeal sends the chilling message that when the cost of addressing discrimination is too high, governments can rely on financial considerations to justify their (in)actions.

Addressing the history of genocide of First Nations and implementing reconciliation will require investing significant public funds. The AMC will argue that overriding constitutionally protected rights and freedoms based solely on what's available in the public purse will necessarily exacerbate existing barriers for First Nations in Manitoba.

### ***Background***

In *Conseil scolaire francophone de la Colombie-Britannique v British Columbia (Education)*, the lower courts found that the Province of British Columbia had discriminated against minority language groups by failing to adequately fund and support French language education. This appeal asks whether the significant financial costs of remedying this discrimination should be permitted to minimize the government's obligations to right past wrongs. If the lower courts' decisions stand, governments will continue to rely on ordinary and ever-present financial pressures to justify the infringement of constitutional rights and the perpetuation of historical disadvantage.

The AMC knows that the costs of addressing the infringement of First Nations' constitutional rights is higher due to the direct and inter-generational consequences of Canada's history of colonization. This history should demand more, not less, of the

Canadian state due to the loss of culture, languages and spirituality, as well as higher rates of poverty, incarceration, unemployment and involvement in the child welfare and justice systems that its policies and actions have caused.

Nation-to-nation relationships and reconciliation will require significant financial commitments from all levels of government. If financial justifications can justify constitutional infringements, government obligations will be left empty and rendered meaningless.

The AMC acknowledges the necessity of the delicate balancing act that takes place between competing demands on the public purse. However, it will always be more fiscally prudent to ignore fundamental rights and freedoms. Remedying discrimination is an expensive task. While the costs of remedying discrimination are necessarily high, the consequences of not addressing it are even higher.

The Supreme Court of Canada will hear this case on September 26, 2019 in Winnipeg, Manitoba in Treaty One territory, the first time in its 144-year history that the Supreme Court will sit outside of Ottawa.

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**About the Assembly of Manitoba Chiefs**

The Assembly of Manitoba Chiefs (AMC) represents 62 First Nations in Manitoba including the Anishinaabe (Ojibway), Nehetho (Cree), Oji-Cree, Dene and Dakota people.

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