



**FOR IMMEDIATE RELEASE**

April 13, 2021

## **Grand Chief Arlen Dumas' Statement Regarding Bill 56**

**Treaty One Territory, Manitoba** – AMC Grand Chief Arlen Dumas issues the following statement in response to yesterday evening's Standing Committee on Bill 56.

About last night...

Last night was not about smoking... however, there were smoke and mirrors on display yesterday evening.

Last night, I as AMC Grand Chief Arlen Dumas and Chief Deborah Smith of the Brokenhead Ojibway Nation were amongst a number of speakers opposing Bill 56, *The Smoking and Vapour Products Control Amendment Act*. This was to speaking as a presenter at the Standing Committee for Bill 56, a process taken after a Bill has gone from second reading and prior to third and final reading in the Legislature.

Note that Bill 56 removes section 9.4 of *The Smoking and Vapour Products Control Amendment Act* which, "exempts lands reserved for Indians and federal lands" from the application of the Smoking Act.

Let me start by stating this: we are First Nations, not 'second Nations,' not 'when they feel like it Nations' and certainly not 'when is convenient Nations.' First.

Directly off the top of the Standing Committee last night, when a representative from the Treaty One Nation Office spoke on this Bill, the Honourable Audrey Gordon, Minister of Mental Health, Wellness and Recovery, requested to respond to their presentation by offering the following commentary:

"This [Bill 56] will make it easier for those communities who want to regulate smoking on their communities without passing bylaws."

And herein lies the first and major issue: we didn't ask for that. In fact, over this past year of grave issues related to COVID-19 and more than 150 First Nation deaths associated with the pandemic, we asked and requested a plethora of assistance and funding for all First Nations in Manitoba to fight COVID-19. But amendments to Bill 56, well, we did not ask for that.

The Province has determined what First Nations consider a priority. It's a slap in the face of First Nations that not only did the Province determine that this was the matter that they wanted to move on amidst a global pandemic, but did not even bother to ask.

The second issue remains the series of events that unfolded over the past few days. While AMC was invited to an online meeting with Minister Gordon late last Friday afternoon, we did not agree to participate because we did not want Manitoba to use that meeting as 'checking a box' to say that they had consulted First Nations. A thirty-minute meeting at 430pm on a Friday is not consultation.

Particularly not the weekend before Bill 56 is going to Standing Committee prior to third and final reading.

The Minister immediately decried that the Province sent out a letter to all 63 First Nations in Manitoba. To that I say, one letter does not a consultation make. Have you ever forgotten to pay a cell phone bill? One immediately gets spammed with reminders and inquiries via email, written correspondence and a never-ending stream of phone calls. That's because they want to get in touch with the customer. The Province's actions with a single letter can only be construed as checking off a box and hoping for no response.

There is a duty to consult, yet Manitoba's willingness or effort on duty to consult has been dismal. Last night was no different. While the Ministers were present and did listen, I question whether they actually *heard*. There is a marked difference between listening and actually hearing. Again, I state, we are First Nations, who should always be consulted with, first.

The third issue is calling this a health issue. We, as First Nations, are well aware of what health issues are. Pretending that this is a health issue to mask the fact that this is a First Nation specific target of the Bill and flies in the face of their Path to Reconciliation Strategy.

It was brought to our attention that the Canadian Cancer Society has since withdrawn its support for Bill 56 due to lack of consultation with First Nations. We applaud them for this action. We note the good work they do and agree that preventing cancer is a top priority for everyone. No one wants to lose their or a loved one's life to a battle with cancer. But this issue is about the Province encroaching on First Nation jurisdiction.

And yet here we now stand: in committee stage without consultation. The Province is still attempting to legislate while ignoring constitutionally protected rights of First nations. This is beyond disingenuous. Consultation is a prescribed legal process that all sides agree to, not a game of smoke and mirrors to create the illusion of consultation.

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**About the Assembly of Manitoba Chiefs**

The AMC was formed in 1988 by the Chiefs in Manitoba to advocate on issues that commonly affect First Nations in Manitoba. AMC is an authorized representative of 62 of the 63 First Nations in Manitoba with a total of more than 151,000 First Nation citizens in the province, accounting for approximately 12 percent of the provincial population. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho / Inineu (Cree), Anishinew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.