



FOR IMMEDIATE RELEASE

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AMC disappointed at Supreme Court's Decision on Carbon Tax Ruling

Treaty One Territory, Winnipeg, Manitoba – The Supreme Court of Canada (SCC) ruling today on *The Greenhouse Gas Pollution Pricing Act* is a “missed opportunity to advance meaningful reconciliation as, collectively, we face the debilitating impacts of climate change across borders, territories and our traditional lands,” said AMC Grand Chief Arlen Dumas.

The AMC stood as an intervener in the SCC case, whereby several provinces argued the federal government's carbon tax was unconstitutional because it intrudes on provincial jurisdiction. However, neither the federal nor provincial governments acknowledged the existence of First Nations laws. That is why the AMC, represented by the Public Interest Law Centre (PILC), argued that the SCC had an obligation to address the much deeper reality.

“We are deeply disappointed that today's ruling fails to acknowledge what we know to be true, the undeniable reality that First Nations laws have been here on Turtle Island for thousands of years and continue to guide our relationships with the Creator, Mother Earth, each other and all living beings,” said Grand Chief Dumas.

On September 23, 2020, the AMC argued that carbon pricing exposes an outdated, inaccurate and destructive narrative about Canada. The AMC took no position on whether the jurisdiction should be federal or provincial in nature. Instead, the AMC argued that governments and courts can no longer ignore the existence and insights of First Nations laws.

Canada is a full supporter of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which protects the right of First Nations to distinct legal institutions. According to First Nations Knowledge Keepers, the original intent of the Treaty relationship was based on a mutual understanding of respect and responsibility. Looking at the climate crisis through a reconciliation lens requires acknowledging that both settler and First Nations world views and laws can meaningfully inform contemporary policy.

In today's ruling, the SCC acknowledges that, “climate change has had a particularly serious effect on Indigenous peoples, threatening the ability of Indigenous communities in Canada to sustain themselves and maintain their traditional ways of life.” Further, that “irreversible harm would be felt across the country and would be borne disproportionately by vulnerable communities and regions, with profound effects on Indigenous people...”

Given that reality, Grand Chief Dumas concluded, “The Supreme Court of Canada and Canadians have missed a profound opportunity to embrace and learn from First Nations laws and Knowledge Keepers. Regardless of today’s ruling, we are stewards of the land and protectors of the waters and we will continue to respect and defend Mother Earth grounded in our Treaties.”

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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 per cent of the provincial population. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho / Ininew (Cree), Anishinew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.