



Peguis First Nation

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News Release

For Immediate Release

August 17, 2015

Kapyong Barracks Court Case Victory

Peguis First Nation, Manitoba:

The Chief and Council of Peguis First Nation are pleased with the judgment of the Federal Court of Appeal issued on August 14, 2015 on the decision of the Kapyong Barracks land and setting aside the appeal of Canada. This judicial review on the selling of the Kapyong Barracks Surplus Federal Land is one that recognizes the Peguis First Nation Treaty Entitlement Agreement and our right of first refusal to purchase any Surplus Federal Land and our collective Indigenous rights as recognized in Section 35. of the *Constitution Act* relating to the duty to consult.

The Federal Court of Appeal also recognized the rights of First Nations as understood as basic Treaty principles as established by Canadian law courts including but not limited to the following:

1. No sharp dealing by the Federal Government or its agents;
2. The honour of the Crown is always engaged;
3. The Crown's obligations to provide for the TLE are not fulfilled until the per capita obligation is met;
4. The Crown is required to continue the process of reconciliation and the need for ongoing consultation and accommodation of Treaty rights.

An important aspect to this case as outlined by this Federal Court of Appeal, and recently in the dialogue created by the final report of the Truth and Reconciliation Commission of Canada's Findings, is the importance of the building of a Treaty relationship with Canada, to take a new path and to begin a respectful and honourable relationship for the future generations of our peoples. "We are hopeful this decision will be the first step in recognition and implementation of our Treaties and specifically the Treaty right to land, and just as importantly a new path towards reconciliation with Canada our Treaty partners for the next generations to come" said Chief Cindy Spence.

**For more information please contact:
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