
Budget Announces Funding to Study Impact of Supreme Court Ruling on Métis Aboriginal Rights

OTTAWA (ONTARIO) - The Honourable Denis Coderre, President of the Queen's Privy Council for Canada, Federal Interlocutor for Metis and Non-Status Indians and lead Minister for Canada's Urban Aboriginal Strategy, applauded Tuesday's budget announcement, which allocated \$20.5 million to further facilitate a response to last fall's Supreme Court of Canada ruling on Métis rights in *R. v. Powley*. Minister Coderre, who has responsibility for leading and coordinating the Government of Canada's response to the Supreme Court decision, indicated that this announcement has been received in a positive light by Metis people and groups across the country.

The *Powley* decision was the first Supreme Court decision to address the question of whether Métis have Aboriginal rights under s. 35 of the *Constitution Act, 1982*. The Supreme Court recognized the Métis Aboriginal right to harvest for food in the Sault Ste. Marie area of northern Ontario, and allowed for the possibility that such rights might exist elsewhere in Canada.

Since the Supreme Court ruling last fall, the Government of Canada has been working closely with the provinces, territories and Métis organizations to implement the Supreme Court of Canada's decision in good faith, while at the same time facilitating responsible hunting and helping ensure public safety. The Government will assist in building the capacity of Métis organizations to play a meaningful role in this process.

Minister Coderre stated that the funding announced in Tuesday's budget will assist the Government of Canada in working with its partners to further respond to the direction provided by the Supreme Court - to participate in processes that are essential in the identification of Métis harvesters and their communities, allowing us to arrive at practical and consistent harvesting regimes. This will assist in ensuring a responsible and orderly hunt for all Canadians.

Funds will be used to work with partners to fill gaps in research, to conduct legal and policy analysis to better understand the Supreme Court decision and to address its implications, to help develop a coordinated approach to Métis rights issues, and to improve the capacity of Métis organizations to play a meaningful role in this process.

A backgrounder is attached to this press release.

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This document is available on the Federal Interlocutor for Metis and Non-Status Indians Website at the following address: <http://www.pco-bcp.gc.ca/inteloc>

BACKGROUNDER Responding to the Powley Decision

The *R. v. Powley* decision, handed down on September 19, 2003, was the first Supreme Court of Canada (SCC) judgment to address the question of whether Métis communities can possess Aboriginal rights pursuant to subsection 35(1) of the *Constitution Act, 1982*. The SCC ruled that the Métis community of Sault Ste. Marie possesses a constitutionally protected right to hunt for food.

The SCC articulated a test for Métis Aboriginal harvesting rights, thereby allowing for the possibility that such rights might exist elsewhere in Canada, while setting some parameters around who might exercise these rights.

In responding to the SCC decision, the Government of Canada is currently engaged in a joint process with provincial and territorial governments and Métis leaders. This approach, which acknowledges that Métis rights-bearing communities may exist across Canada, consists of the

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