

Duty to Consult: Ermineskin Cree Nation v Canada



may not materialize in the future” was sufficient to trigger the Crown’s duty to consult.

More specifically, the Nation had “negotiated compensation for Aboriginal and Treaty rights through an Impact Benefits Agreement,” and the court decided that “economic and community benefits arising from these agreements are entitled to protection through the Crown’s duty to consult given that they are closely related to underlying Aboriginal or Treaty rights as an accommodation measure.”

This week we are discussing the Crown’s duty to consult. Today’s post is about the change made to the duty to consult that came from the 2021 case *Ermineskin Cree Nation v Canada (Environment and Climate Change)*.

“The Government of Canada has a duty to consult, and where appropriate, accommodate Indigenous groups when it considers conduct that might adversely impact potential or established Aboriginal or treaty rights.” This duty to consult has been affirmed by the Supreme Court of Canada in cases such as *Haida Nation v British Columbia (Minister of Forests)*, *Taku River Tlingit First Nation v British Columbia (Project Assessment Director)*, *Mikisew Cree First Nation v Canada (Minister of Canadian Heritage)*, *Beckman v Little Salmon/Carmacks First Nation*, and *Rio Tinto Alcan Inc. v Carrier Sekani Tribal Council*.

Before the *Ermineskin Cree Nation v Canada* case, the duty to consult focused on situations where an Indigenous community opposed the Canadian government’s considered conduct, rather than when it was relying on, or in support of, that conduct. The decision in the *Ermineskin* case makes it clear that the Crown must consult not only with First Nations that oppose the particular project development, but also those in support of the project, as long as their Aboriginal or Treaty rights may be adversely impacted. [4]

The *Ermineskin* case also recognized that the duty to consult arises when an Indigenous nation holds *economic interests* in a project that are derived from, or closely related to, Aboriginal or Treaty rights. [5] Economic interests include “negotiated benefits that would be adversely affected by Crown conduct that may cause project delays or refusals.” [6] In the *Ermineskin* case, the existence of “a potential economic interest that may or

The *Ermineskin* case made it clear that the duty to consult applies when a First Nation has potential economic interests in the project, and the duty must be carried out not just for those in opposition, but also those in support of the project. This important ruling supports the concept that Aboriginal and Treaty rights, as well as corresponding Crown duties, must evolve and adapt overtime, and emphasizes that recognition of Indigenous economic interests is part of reconciliation.

There is hope that the *Ermineskin* decision will “increase the value of Indigenous partnership” and “promote negotiation and economic benefit sharing between proponents and potentially affected Indigenous groups.” [10] It is also a reminder that Indigenous nations across Canada are not one and the same; they may oppose or support development projects depending on the specific circumstances, and must be consulted when their rights may be impacted, regardless of their stance.

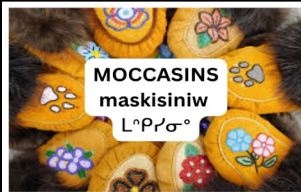
The *Ermineskin* case is an exciting example of how the Crown’s duty to consult can adapt overtime to better fit contemporary circumstances. The case also shows that small changes and large changes alike can have positive implications for reconciliation. Reconciliation is advanced when the Crown fulfills its duties to Indigenous nations, such as the duty to consult, and recognizes nations as partners in negotiations.

Until next time, Team Reconcili-ACTION YEG.

Article Provided by: Team Reconcili-Action YEG

<https://www.reconciliationyeg.ca>

CREE CORNER



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maskisiniw
L°P°σ°



SOCKS
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JACKET
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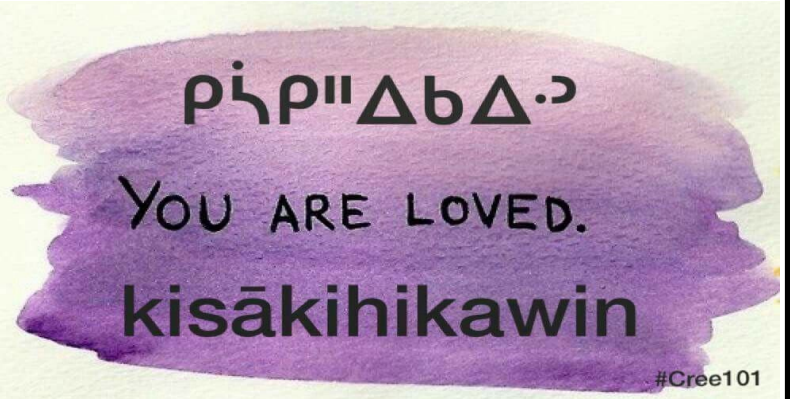
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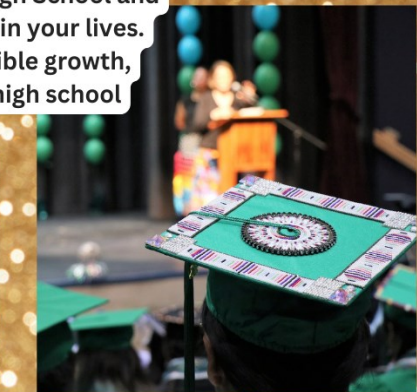


#Cree101

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ahkameyimowin
Resilience



Congratulations to all the incredible students of Maskwacis Cree High School and Maskwacis Outreach School on reaching this significant milestone in your lives. Today, we celebrate your academic achievements and the incredible growth, resilience, and determination you have shown throughout your high school journey.- M.E.S.C



PHOTO'S PROVIDED BY: JANINE WILDCAT (M.E.S.C COMMUNICATIONS TECHNICIAN)

JOSH LITTLECHILD EDUCATES LOCAL YOUTH



Photo Provided by: Josh Littlechild

equipped with a strong understanding of Indigenous rights and history, particularly when it comes to residential schools. They have been given a foundation in the difficult history of our country and have shown empathy and openness to learning and understanding about the lasting effects of colonization.

I believe that education is the key to healing and reconciliation, and the students at Sacred Heart are a testament to this. They have shown a willingness to engage with complex and difficult issues, and have demonstrated a thoughtfulness and maturity beyond their years. These students are the future of our country, and I have no doubt that they will go on to make positive change in their communities and beyond.

I recently had the pleasure of speaking to the students at Sacred Heart Elementary School about Indigenous issues and sharing my cultural knowledge with them. I was inspired and impressed with the depth of understanding and knowledge that these young students had about residential schools and their impacts on Indigenous communities.

Thanks to the dedicated efforts of the school's educators, the students at Sacred Heart have been

In short, I am heartened by the positive impacts and knowledgeable base on residential schools that the students at Sacred Heart School have developed. It is a testament to the hard work of dedicated educators, and to the open and empathetic minds of these students. I look forward to continuing to collaborate with them and supporting their journey towards a brighter future.

Article Provided By: Josh Littlechild

Call to Federal Gov't. to Halt the Repealing of Indian Act

On Wednesday, National Indigenous Peoples Day, chiefs of Canada's Treaty Lands are calling on the federal government to halt the repealing of the Indian Act and meet with the nations on unfinished treaty business, something they say has yet to happen thus far.

A statement from the Treaty Chiefs of Onion Lake Cree Nation, O'Chiese First Nation, Kehewin Cree Nation, Saddle Lake First Nation, Tsuut'ina Nation, James Smith Cree Nation, Beaver Lake Cree Nation, Beaver First Nation, Alexis Nakota Sioux Nation, Cold Lake First Nation, Alexander First Nation, Frog Lake First Nation, Louis Bull Tribe, Montana First Nation, Ermineskin Cree Nation and Ochapowace Nation, re-

leased Wednesday, says members of the nations have not met with Canada thus far on plans that will "impact [them] for generations.





INDIGENOUS CHIEFS CALL ON OTTAWA TO HALT REPEALING OF INDIAN ACT

"They say the chiefs have been following the development of the country's United Nations Declaration on the Rights of Indigenous Peoples Action Plan (UNDA), and they haven't been consulted on the several goals or methods outlined in the final action plan, including repealing the Indian Act."

"To make this announcement on the summer solstice, one of the most sacred days for our peoples is deceptive — while our people are celebrating our culture, language and existence," the press release said, in part.

"As a Treaty Nation, we are disappointed that Canada has moved ahead to develop a termination action plan — a reboot of the failed 1969 white paper — without Treaty Nations that will have lasting generational impacts on our peoples," said Okimaw Lewis from Onion Lake Cree Nation.

"For example, Treaty citizens were transformed into statutory Indians in 1951— there have been no discussions about the impacts of this, if the Indian Act was immediately repealed."

Abolishing the Act without returning "to the path of Treaty" continues to "violate our right to free prior and informed consent," according to Tsuut'ina Nation's Xakijii Roy Whitney, who adds repealing the

Indian Act put Indigenous land at risk and moves nations into a municipal structure of land governance which is in violation of Treaty.

The chiefs ask the feds to enter into "meaningful discussions" to talk about the true spirit and intent of Treaties, explaining they "[reject] Canada's ongoing agenda that aims to transform us into municipalities and another level of local government."

Also highlighted in the statement is the role of Treaties in the creation of Canada in 1867.

Furthermore, the chiefs are asking all Treaty Peoples and Nations to organize a day of prayer on Wednesday, June 21, and a day of action on July 1.

"Canada must know that we do not agree with their municipalization agenda that aims to transform us into minorities and municipalities within our own lands," they said.

Article Provided By: Lauryn Heintz—

Web Editor/Reporter-CityNews

To see full press release, please visit:

<https://ermineskin.ca>



CONGRATULATIONS

JESHAYNA LAROCQUE



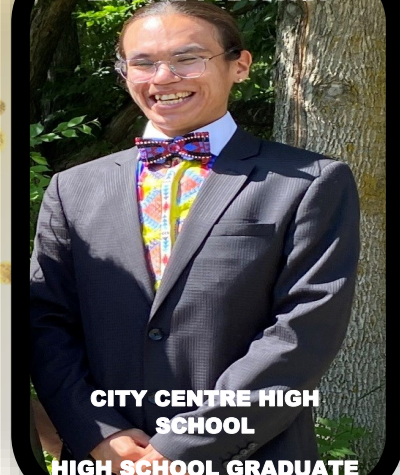
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MEDICAL LAB TECHNICIAN**

ALaura FRAYNN



**RED DEER POLYTECHNIC
HEALTH CARE AIDE CERTIFICATE**

LAYNE FRAYNN



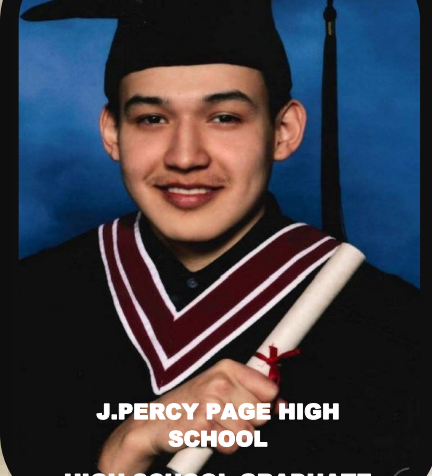
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HIGH SCHOOL GRADUATE**

KRISTA CUTARM



**S.A.I.T
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JAVID WILDCAT



**J.PERCY PAGE HIGH SCHOOL
HIGH SCHOOL GRADUATE**

CREE STONEY



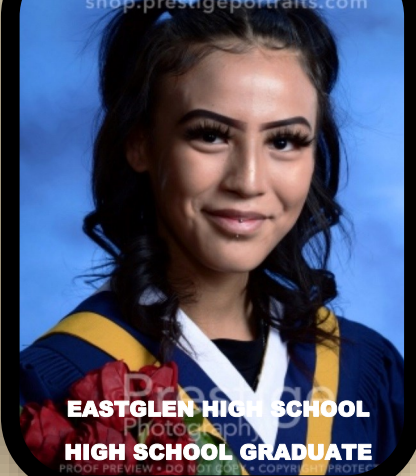
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ALYSSA ERMINESKIN



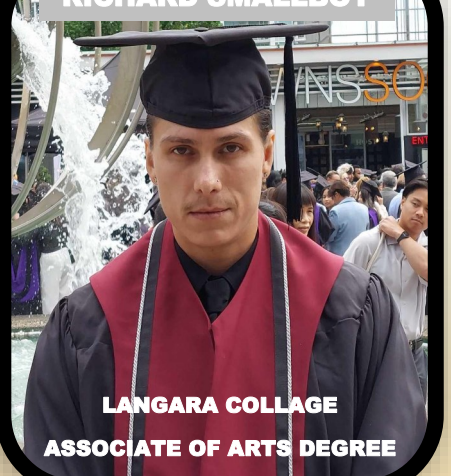
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KEANA POTTS



**EASTGLEN HIGH SCHOOL
HIGH SCHOOL GRADUATE**

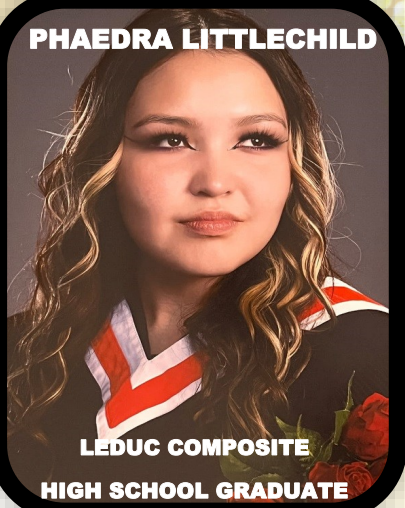
RICHARD SMALLBOY



**LANGARA COLLAGE
ASSOCIATE OF ARTS DEGREE**

GRADUATES OF 2023!

PHAEDRA LITTLECHILD



LEDUC COMPOSITE

HIGH SCHOOL GRADUATE

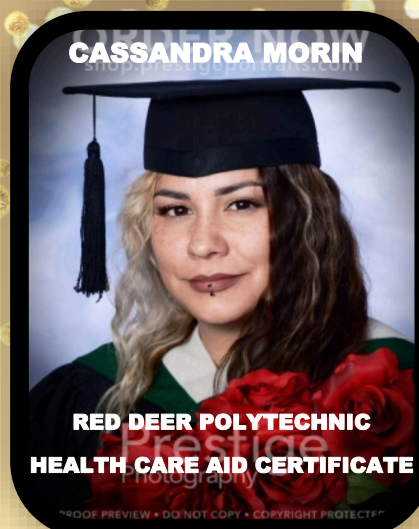
ZORA ROAN



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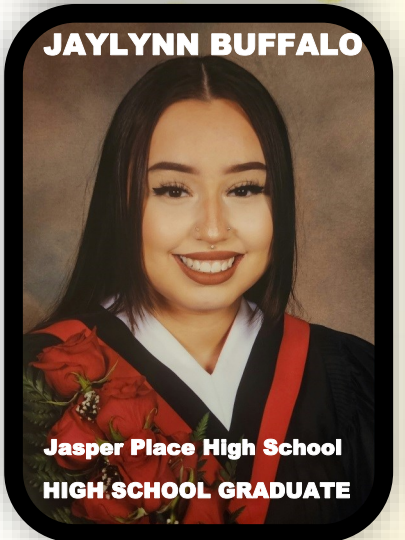
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CASSANDRA MORIN



RED DEER POLYTECHNIC
HEALTH CARE AID CERTIFICATE

JAYLYNN BUFFALO



Jasper Place High School

HIGH SCHOOL GRADUATE

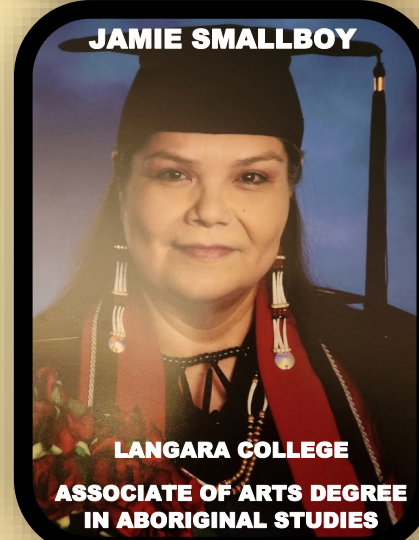
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LANGARA COLLEGE

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REGISTERED NURSE**

M.E.S.C YEAR-END POWWOW 2023



principals, teachers, parents and students to come together in the spirit of Wâhkôhtowin and celebrate with traditional dancing, singing, and give away. Ay Hay to all the families who attended! *Article Provided by: M.E.S.C*

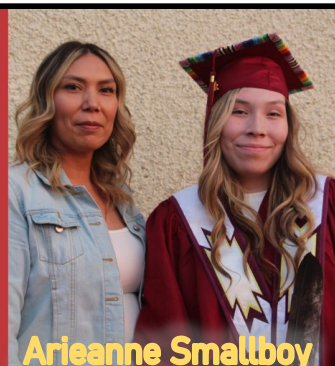
Photo's Provided by: Janine Wildcat



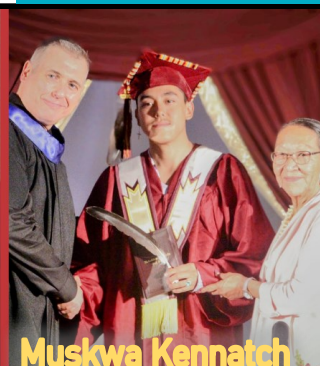
MESC Annual Year-End Pow wow: As we come to the end of another successful year, we want to celebrate and acknowledge the hard work, dedication and accomplishments of all our students, teachers and staff members. Thank you to everyone who contributed to making this school year a success. We couldn't have done it without you! To mark this milestone we hosted our annual year end pow wow celebration at the Maskwacis Bear Park today. It was a great day for the



Ozias Saddleback



Arieanne Smallboy



Muskwa Kennatch

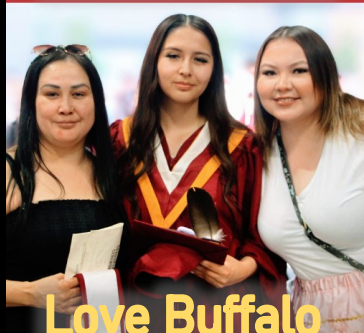


Shyzalah Evert



Shenqa Minde

CONGRATULATIONS TO THE
WETASKIWIN COMPOSITE
HIGH GRADUATING CLASS OF 2023!



Love Buffalo



Verlyn Wildcat



Summer Littlechild

Upcoming Events/Classifieds

ERMINESKIN CREE NATION

OFFICE CLOSURE

Please be advised that **ECN Administration and Operations** will be closed on Monday, July 3rd, 2023 in lieu of Canada Day.

Regular office hours will resume on Tuesday, July 4th, 2023 at 8:30am.

Ay Hay



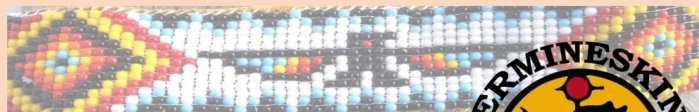
Ermineskin Elders
Centre

GRAND RE-OPENING

The ECN Elder's Centre is in the final stages of renovations and is preparing for its Grand Re-Opening! Be sure to join us for this special occasion! More details to come

July 10th, 2023

ECN Elders Centre, Maskwacis, AB



Working Through Adverse Childhood Experiences



3 Day Workshop:

- ◆ Discuss Adverse Childhood Experiences based on the ACE Study
- ◆ Explore how we are impacted by our childhood experiences
- ◆ Explore different techniques to begin healing from childhood trauma
- ◆ Become familiar with various resources and tools to assist on our healing journey




18TH ANNUAL
YOUTH
•GATHERING•
CAMPING TRIP

JULY 10-14

KEHEWIN CREE NATION, AB

AGES 12 - 19

FOR MORE INFORMATION OR TO REGISTER:
(780) 585-3088

"My Gifts" Workshop



Women's Workshop with Lorraine Cutarm



"A reminder of our responsibilities as daughters, mothers, grandmothers, and great grandmothers"

15 Participants MAX
Transportation and Hotel Accommodations PROVIDED

Dates & Location

16-20
July 2023

Village Creek Inn
Ma-Me-O Beach, AB

Registration Now

(780) 585-2000
futuresbrighter@yahoo.com

NEXT ISSUE

JULY 13, 2023

Submission Deadline: July 10, 2023
newsletter@ermineskin.ca

IMPORTANT REMINDER:



THE ECN NOMINATION MEETING FOR CHIEF CANDIDATES WILL BE ON:

JULY 12TH, 2023
12:00PM - 2:00PM
@ N.O.K. Building

SUBJECT TO CHANGE

AGES 11+

MASKWACIS YOUTH DAY CAMPS



EDDIE STEELE AS FOOTBALL COACH
(FORMER EDMONTON ESKIMOS GREY CUP WINNER 2015)



- SAMSON COMMUNITY WELLNESS
- SAMSON YOUTH SPORTS DEVELOPMENT
- ERMINESKIN RECREATION
- ERMINESKIN COMMUNITY WELLNESS
- LOUIS BULL HEALTH & WELLNESS

WEEK 1: JUNE 27 - 29	WEEK 2: JULY 4 - 6	WEEK 3: JULY 11 - 13	WEEK 4: JULY 18 - 20	WEEK 5: JULY 25 - 27	WEEK 6: AUGUST 1 - 3
12PM - 4PM	12PM - 4PM	12PM - 4PM	12PM - 4PM	12PM - 4PM	12PM - 4PM
SOCCER	BASKETBALL	LACROSSE	TOUCH FOOTBALL	GOLF	TOUCH FOOTBALL
LOCATION: BEAR PARK	LOCATION: H.B.M.C	LOCATION: ECN ARENA	LOCATION: BEAR PARK	LOCATION: DORCHESTER RANCH	LOCATION: SAMSON BASEBALL DIAMOND

ERMINESKIN RECREATION: (780) 585-3088
SAMSON COMMUNITY WELLNESS: (780) 585-3634

SAMSON YOUTH AND SPORTS DEVELOPMENT: (780)585 3012
LOUIS BULL HEALTH & WELLNESS: (780) 585-4075 (GAVEN OR JESSE)
MONTANA RECREATION: (780) 585-3744 (JOSH OR CARSON)

11th Annual Neyaskweyahk Native Classic
Panee Memorial Agriplex
 July 21-23, 2023
 Maskwacis, AB

FLYING CROSS JOCKEY CLUB

FRIDAY JULY 21 6:00PM - 8:00PM FLYING CROSS FLAT RACES CHUCKWAGON RUBBER TIRE WAGON	SATURDAY JULY 22 4:00PM - 9:00PM BILLY RODEO FLAT RACES CHUCKWAGON INDIAN RELAY	SUNDAY JULY 23 2:00PM - 6:00PM FINAL CHAMPIONSHIP RODED FLAT RACES CHUCKWAGON INDIAN RELAY
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Featuring Special Guests:
MIKE AND THE BOYS

Dance Saturday July 22 9pm

Daily Admission Prices:
 Children 8+ Under FREE
 Youth 9+Up - \$15
 Elders - \$15
 Adults - \$20
 Saturday Admission - \$20 Includes Dance

FOR MORE INFORMATION PLEASE CONTACT ALEX LITTLECHILD: (780)335-2788

THE NEYASKWEYAHK NATIVE CLASSIC WILL NOT BE LIABLE FOR ANY INJURY, LOSS, DAMAGE, ACTION, CLAIM, COST OR EXPENSE WHICH YOU MAY SUFFER OR INCUR AS A RESULT OF ATTENDING OR PARTICIPATING IN THIS EVENT.

2023-2024 REGISTRATION NOW OPEN

4 NATIONS ARENA
 780-585-3771
 MASKWACISHOCKEY@GMAIL.COM
 FB PAGE: MASKWACIS MINOR HOCKEY ASSOCIATION

THE MANY WAYS TO CONNECT WITH ERMINESKIN CREE NATION

- YouTube:** LIKE & SUBSCRIBE Search: Ermineskin Cree Nation
- Email:** Feel free to email us with any events or topics you would like us to cover
- Instagram:** Follow our Instagram! Search: ermineskincreation
- Snapchat:** Add our Snapchat! Search: ermineskin Cree
- Facebook:** Keep up with our latest events, programs and services by liking and sharing our FB Pages and Groups
- Website:** Visit our official website for events, updates, and department information ermineskin.ca
- Twitter:** Follow our Twitter! Search: @ErmineskinCree
- Download our App!** Search "Ermineskin Cree Nation" in the app store!

COME & JOIN US FOR AN AWESOME BBQ LUNCH

LUNCH FUNDRAISER

Hosted by **ERMINESKIN ELDERS**

TUESDAY JULY 4TH

ECN ADMINISTRATION 11:00AM - 1:00PM

REFRESHMENTS
 DOOR PRIZES
 COMMUNITY DEPT.
 DISPLAYS AND MUCH MORE!

FOR MORE INFORMATION:
 (780) 585-3741 EXT.278



CALGARY STAMPEDE FIELD TRIP



VAN LEAVES AT

10:30AM FROM THE JIM RS SPORTS BLDG.

\$25.00/CHILD

PLEASE NOTE: FEE IS TO SECURE SPOT AND WILL BE USED TO FEED THE CHILDREN ON THE DAY OF THE EVENT

Friday, July 14, 2023

Ages 12+

First 12 to pay fee and register

To register, ECN Recreation: (780) 585-3088



K-DAYS FIELD TRIP



VAN LEAVES AT

10:30AM FROM THE JIM RS SPORTS BLDG.

\$25.00/CHILD

PLEASE NOTE: FEE IS TO SECURE SPOT AND WILL BE USED TO FEED THE CHILDREN ON THE DAY OF THE EVENT

Monday, July 24, 2023

Ages 12+

First 12 to pay fee and register

To register, ECN Recreation: (780) 585-3088