



NEWS RELEASE

Vuntut Gwitchin First Nation responds to the Supreme Court of Canada’s decision to uphold and protect our First Nation’s Constitution, Treaty and Self-Government rights

March 28, 2024

Old Crow, Yukon

The Vuntut Gwitchin First Nation welcomes today’s decision of the Supreme Court of Canada. The Court upheld and protected the responsibility for Vuntut Gwitchin leaders elected to Council to live within our Traditional Territory in the community of Old Crow, which is the seat of our government. This responsibility was established in our Constitution by the deliberation and consensus decision of our General Assembly, and was based on the guidance of our Elders and their knowledge.

As stated by the Court in their reasons:

“Requiring VGFN leaders to reside on settlement land helps preserve the leaders’ connection to the land, which is deeply rooted in the VGFN’s distinctive culture and governance practices. The residency requirement promotes the VGFN’s expectation that its leaders will be able to maintain ongoing personal interactions between leaders and other community members.” [paragraph 217]

“It also bolsters the VGFN’s ability to resist the outside forces that pull citizens away from its settlement land and prevents erosion of its important connection with the land. Such interests are associated with various aspects of Indigenous difference, including Vuntut Gwitchin cultural difference and prior sovereignty, as well as their participation in the treaty process that culminated in the enactment of the VGFN Constitution.” [paragraph 217]

While today’s long overdue recognition and affirmation of Indigenous self-government by the Court is monumental, we acknowledge and look to the past generations of our leadership who guided us throughout our history and ensured our continued survival, well-being and dignity together on our land as Vuntut Gwitchin. As our late Vuntut Gwitchin First Nation leader Robert Bruce Jr. said in reference to this case, “The Elders knew that the outside world was unpredictable and worried about hardships coming in the future. They wanted future generations to remember that we can rely on our land and traditions.”

As the present generations of the Vuntut Gwitchin First Nation, we remain steadfast in our commitment to uphold and carry forward the legacy of “Together Today For Our Children Tomorrow,” including in our commitments to protecting our land, culture, way of life, and the fundamental rights of all people to self-determination, equality and freedom from discrimination.

Quotes:

“Today’s Supreme Court decision demonstrates respect for and deference to our First Nation’s inherent right to govern ourselves collectively in accordance with our Constitution, laws, values, and our special relationship to our Traditional Territory. This inherent right is affirmed in our modern treaty and self-government agreements with the Governments of Canada and Yukon, and we will continue to implement this together to meet evolving circumstances and needs of our Citizens.”

—Chief Pauline Frost, Vuntut Gwitchin First Nation

“As a self-governing First Nation, we protect and uphold the guarantee of equality and non-discrimination for all our Citizens. Our modern treaty and self-government agreements with Canada and the Yukon affirm the shared responsibility of our three governments to ensure Vuntut Gwitchin First Nation Citizens have opportunities for well-being that are equal to those of other Canadians. This includes equal access to essential public services of reasonable quality regardless of where they live.”

—Chief Pauline Frost, Vuntut Gwitchin First Nation

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Background:

- A copy of the Supreme Court of Canada’s decision in *Dickson v. Vuntut Gwitchin First Nation* can be viewed online at <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/20353/index.do>. **This web page also includes a link to a one page Case in Brief:** <https://www.scc-csc.ca/case-dossier/cb/2024/39856-eng.aspx>.
- Today’s decision concerns a Court challenge initiated in 2019 against the Vuntut Gwitchin First Nation under the *Canadian Charter of Rights and Freedoms*, seeking to invalidate and repeal the requirement under the Vuntut Gwitchin First Nation Constitution that leaders elected to Council must live on Settlement Land.
- On June 8, 2020, the Supreme Court of Yukon issued reasons for judgment with respect to the Court challenge in *Dickson v. Vuntut Gwitchin First Nation*, 2020 YKSC 22.
- On July 21, 2021, the Court of Appeal of Yukon issued reasons for judgment in *Dickson v. Vuntut Gwitchin First Nation*, 2021 YKCA 5 on an appeal by Cindy Dickson and cross-appeal by Vuntut Gwitchin First Nation to the decision below of the Supreme Court of Yukon.
- On February 7, 2023, the Supreme Court of Canada heard the appeal by Cindy Dickson and cross-appeal by Vuntut Gwitchin First Nation to the decision below of the Court of Appeal of Yukon.
- On March 28, 2024, the Supreme Court of Canada released their reasons of judgment on the appeal by Cindy Dickson and cross-appeal by Vuntut Gwitchin First Nation. The Court dismissed both the appeal and cross-appeal and upheld the residency requirement under section 25 of the *Canadian Charter of Rights and Freedoms*.