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## News Release

FOR IMMEDIATE RELEASE

## Communiqué

From: Dr. Marguerite E. Ritchie, Q.C., President, Human Rights Institute of Canada

### IS NANOOSE BAY EXPROPRIATION LEGAL ? PROVE IT IN THE COURTS

The Human Rights Institute of Canada today called on the Federal Government to prove that it can legally expropriate Nanoose Bay.

The Institute says the Federal Government has no such power. It challenged the Federal Government to refer an agreed question to the Supreme Court of Canada.

That would allow groups and persons to have their say. It would be cheaper and quicker than forcing people to raise money to go into the lower Courts while the Federal Government uses the money of the taxpayers against them.

### THE FEDERAL GOVERNMENT CANNOT LEGALLY SEIZE NANOOSE BAY

The Federal Government is seeking to rob British Columbia of Provincial land that they were guaranteed when they went into Confederation. All Provincial Property is covered by Section 117 of the Constitution Act, 1867.

That is one of the terms of Confederation for British Columbia. The Federal Government cannot claim any Provincial property unless it is needed either for Fortifications or for the Defence of Canada. Not for the defence of the United States. The Federal Government is trying to bypass these requirements by a mere Act of Parliament that has no power to override the Constitution of Canada.

Do we have a Constitution? Does it protect the Provinces? We must get this question into Court.

### THE CONSTITUTIONAL THREAT TO BRITISH COLUMBIA

If the Federal Government can violate one of the terms under which British Columbia entered Confederation, it can violate every provision of the Constitution any time it wants. That means that we do not have a Government based on law. That means that every citizen is at risk.

(...continued)

### **THE THREAT TO ALL CANADIANS**

If the Federal Government can violate the Constitution with respect to British Columbia, it can do the same with respect to every Province in Canada. The Constitution will mean nothing except what the Prime Minister's latest advisers decide to dream up.

### **WHAT MUST BE DONE**

The Federal Government must refer its claim to Nanoose Bay to the Supreme Court of Canada for a legal Ruling. If the Federal Government is afraid to do so, the B.C. Government must refer the question of Section 117 to its own high Courts. And every citizen of British Columbia must make sure that it is done.

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FURTHER INFORMATION: Dr. Marguerite E. Ritchie, Q.C.,  
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Donations may be made to: Human Rights Institute of Canada  
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We provide charitable receipts

**HELP GET A RULING ON THE SEIZURE OF NANOOSE BAY**