



NEWS RELEASE

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FOR IMMEDIATE RELEASE

SUPERIOR COURT FAILS TO ACKNOWLEDGE TREATY RIGHTS TO LAND, ALLOWING EXPLORATION TO CONTINUE IN KI

THUNDER BAY, ON: Nishnawbe Aski Nation (NAN) Deputy Grand Chief Alvin Fiddler and Kitchenuhmaykoosib Inninuwug (KI) Chief Donny Morris are extremely disappointed by yesterday's Superior Court decision to lift an injunction that has halted exploration on the James Bay Treaty 9 First Nation community's traditional land since last July.

"Once again the courts have failed to recognize the special relationship First Nation people have with the land, but more importantly the court has failed to recognize our treaty rights to the land," said NAN Deputy Grand Chief Alvin Fiddler.

Superior Court Justice Patrick Smith ruled yesterday against KI's April 2007 motion for an order prohibiting Platinex Inc – a Toronto-based mining company – from conducting any exploratory drilling on the northern Ontario community's traditional lands until the trial of main action.

Following a peaceful protest Spring 2006 which halted exploration, Platinex Inc. issued a \$10 billion lawsuit against the community.

Despite a community declared moratorium on resource development and recent Supreme Court rulings to consult and accommodate, including Mikisew (November 2005), Platinex Inc. received permission from the Government of Ontario to drill in KI territory February 2006.

KI will continue with a constitutional challenge to the Ontario *Mining Act* (June 2006), where they claim the Act fails to prioritize Aboriginal and Treaty rights deeming it unconstitutional.

KI is a signatory to the 1929 adhesion of James Bay Treaty 9. The community is located approximately 600 km north of Sioux Lookout.

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