



Native Women's Association of Canada

Press Release – For Immediate Release

Aboriginal Women Lose in Dismissal of *McIvor* Decision

Ottawa, ON (November 6, 2009) – After over twenty years in a fight for equality, yesterday the Supreme Court of Canada dismissed with costs the case of *Sharon Donna McIvor v. Registrar, Indian and Northern Affairs Canada*. The Native Women's Association of Canada (NWAC) is disappointed with the decision not to grant leave to appeal to Sharon McIvor, given that the issue of who can or cannot be an Indian is surely one of national importance.

“Ms. McIvor fought for many years for her, her children and her grandchildren's rights. She has fought for all Aboriginal women and men who deserve the proper rights acquired to them and I congratulate her for her determination,” stated NWAC President Jeannette Corbiere Lavell. “Yesterday's decision represented an opportunity for the highest court of the land to redress historic and ongoing discrimination against Aboriginal women under the *Indian Act*. I am especially disappointed that the court has dismissed the appeal with costs. This punishes the litigant for bringing an action. Clearly, I feel the onus should be on the government to come to the table to resolve these policy issues through a process that deals with the issue of citizenship.”

President Corbiere Lavell continued, “This issue is of the utmost importance to Aboriginal women. The loss of status when a First Nations woman married a non-Aboriginal man is one of the primary reasons why NWAC was founded in the 1970s. Bill C-31 was initially seen as a means to bring equality to First Nations women by removing sexual discrimination in the *Indian Act*; but the reality is that it created more discrimination not only against Aboriginal women but also against their male and female children, grandchildren and all future descendants. It created more division in families, communities and Nations. It introduced further bureaucratic categories of status, non-status, 6 (1) and 6 (2) Indians, cutting off the descendants of women who originally lost their status.”

The federal government is pursuing an amendment to the *Indian Act* to respond to direction from the B.C. Court of Appeal, with a bill expected to be tabled in the House of Commons in January. The bill will not contain a comprehensive redress for historic discrimination against Aboriginal women and their descendants, contrary to the results Ms. McIvor sought to achieve through her appeal to the Supreme Court.

“I personally went to the Supreme Court of Canada in order to regain my Indian Status. Due to continued gender discrimination some of my own grandchildren do not have Indian Status today. I welcome a process that acknowledges First Nations rights to determine who their citizens are and allow for cases of unknown or unstated paternity. Equality is still a vision we are committed to bringing about,” concluded President Corbiere Lavell.

The Native Women's Association of Canada is founded on the collective goal to enhance, promote, and foster the social, economic, cultural and political well-being of Aboriginal women within the Aboriginal community and Canadian society. In 2009, as we celebrate our 35th year of service, we are proud to continue to speak as a voice for Aboriginal women.

-30-

For more information contact:

Joshua Kirkey, Communications Advisor
Native Women's Association of Canada
(613) 722-3033 ext. 231, mobile (613) 290-5680
jkirkey@nwac-hq.org

