

## **Nunavut community takes fight to Supreme Court over unwanted oil exploration**

**22 October 2015 (Toronto)** – The community of Clyde River, Nunavut, has filed an application seeking leave to appeal to the Supreme Court of Canada (SCC), challenging the approval of a seismic blasting project in waters near the Arctic Hamlet. The written argument in support of the application (available [here](#)) was filed just three days before the federal election where Arctic issues were glaringly absent from discourse among party leaders.

This appeal is the latest step for the Clyde River Hamlet, Hunters and Trappers Organization, and Mayor, whose application for judicial review was recently dismissed by the Federal Court of Appeal. That application had been filed in response to the National Energy Board decision to allow for five years of seismic blasting in Baffin Bay and Davis Strait. Clyde River had argued that seismic blasting is a known and often fatal threat to marine mammals and further impacts Inuit hunting, their way of life, and food security.

Mayor Jerry Natanine of Clyde River explains, “Our traditional knowledge and modern scientific data both teach us that seismic blasting is harmful for marine mammals, but federal authorities have chosen to ignore these facts. Instead, they have pushed ahead with this oil exploration project without our consent or adequate consultation.”

Despite ruling against the Clyde River applicants, the Federal Court of Appeal agreed that the applicants had standing to bring their case forward. The Court also held that the Government owed the Inuit a “duty to consult” at the high end of the spectrum because the stakes are so high for the Inuit. Nevertheless, the Court held that the Government had discharged its duties to the Inuit – a finding that has far-reaching consequences for Aboriginal and Inuit rights across Canada.

“This is a case of national importance,” said Nader Hasan, Clyde River’s counsel. “If the decision of the Federal Court of Appeal is allowed to stand, it will set a new low-water-mark for the Crown’s duty to consult First Nations on extraction projects. The constitutional rights of Aboriginal and Inuit peoples will be rendered meaningless.”

Clyde River’s struggle to protect their land, water, and livelihood from seismic impacts has won the attention of more than 300,000 people including high profile supporters like Emma Thompson, Naomi Klein and Lucy Lawless. Newly-elected Nunavut MP Hunter Tootoo (Liberal) often referenced Clyde River’s legal fight during the campaign, and in September he told Nunatsiaq News: “They were crying for help from their MP, who was our environment minister, and there wasn’t a word heard. They had to go to court to try to be heard.”

Jessica Wilson, head of Greenpeace Canada’s Arctic campaign, added: “Seismic blasting is some of the most antiquated technology still being used today. While the National Energy Board continues to approve dirty energy projects against the wishes

of the communities they affect, Greenpeace is working with northerners and other Indigenous communities on solar projects to help them reduce their dependence on polluting and expensive diesel fuel. Solutions do exist — we hope our new government will listen to the voices of northerners and show the courage that the people of Clyde River have shown by making Canada a leader in renewable energy.”

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**For more information:**

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