



Ottawa, May 22, 2024 – A decision was issued today by Justice Sébastien Grammond of the Federal Court in files T-1510-21:

**IN THE MATTER OF
VERN ACOOSE
v.
SAKIMAY FIRST NATIONS ALSO KNOWN AS ZAGIME ANISHINABEK
FIRST NATION et al.**

Translation of Summary into Anishinaabe

The Federal Court is committed to being more accessible to Indigenous people when they wish to bring legal disputes for resolution by the Court. For example, many Court hearings are held directly in the Indigenous community or via webcast from a Courthouse; and where appropriate, Court procedure is adapted to make space for Indigenous protocols and legal traditions. In selected cases, the Court also makes its decisions more accessible by having a summary prepared and recorded in the Indigenous language of the parties. The Court thanks the language keeper who assisted with preparation of this summary in Anishinaabemowin.

[1] Vern Acoose was a candidate in the last election for the chief and council of Zagimē Anishinabēk. He challenges the result of the election. He argues that the result of the election was affected by several irregularities. More generally, he states that the manner in which the election was conducted made it more difficult for off-reserve members to vote.

[2] The Court dismisses Vern Acoose's application and declines to set the election aside. Most of the issues he raised do not constitute a breach of the *First Nations Elections Act*. Zagimē's failure to provide the email addresses of off-reserve members to the Electoral Officer constituted a breach, but there is no evidence that it affected the election results. One candidate, Cameron Bernard-Peepeetch, was nominated a few days before he became a member of Zagimē. While this constitutes a breach, it was quickly

[1] Vern Acoose kiipimatoopan ihima maacic kakii aashitepiihikaniwank onci okimaakan mina okimashishak omaaneke Zagimē Anishinabēk. Oonakashkan kakiisisek aashitepiihikewin. Ookanootaan kakiisisek ihiwe aashitepiihikewin ekiisisekin aanintaa ekaa kwayak ekiisisekin. Ihiwe maawac, eiikitooc kakiitoocikatek ihiwe aashitepiihikewin ekii memeciwwac kaka kaapeshiwac ihima ishkoonianink cikii aashitepiihikewac.

[2] Ihiwe tipaakoonikewin okiisakitinan Vern Acoose's kakii pakitinank pepaanoon ci iikatecikatek ihiwe aashitepiihikewin. Iniweniwan kakii ikitooc isisewinan kaawin cionciisisekin cipiikonikatek ihiwe *anishinape aashitepiihikewin inaakonikaein*. Zagimē's ekaa wencitootank cikiipakitinank piwapik ooshiipiihikewinan ikiweniwak kaka kapeshiwac ishkonikanink cikiimiinakanec ahawe kapiimiwitooc aashitepiihikewin ekiisisek ekiipiikonikemakak, shaakooc kaawin ciwaapancikatek cikii maansisek ihiwe kakiisisek aashitepiihikewin. Aahawe



cured and is not sufficiently serious to warrant setting aside the election.

[3] Many of the irregularities alleged by Vern Acoose find their origin in the fact that Zagimē uses two different membership systems for different purposes. The first is a membership list drawn according to Zagimē's membership code and the second is a registry list prepared by Indigenous Services Canada. Only persons on the membership list are entitled to vote. Such a system is unusual, but it is not unlawful. The evidence, however, shows that it creates confusion. Zagimē may consider whether it wants to change this system. If the system is retained, Zagimē may wish to take proactive measures to ensure that persons on the registry list understand that they can apply to become members.

peshik kiaakiipimatooc, Cameron Bernard-Peepeetch, kiinoohaakane aawachiin kiishikan ekaa maashi einakimakanec cionci tipentaakosic oma Zagimē. Ohowe kakiisisek ekiipiikonikemakak, wiipac kiimiinocikate mina kaawin cionci kiici mansisek cikiitocikatek ci iikatenikatek aashitepiihikewin.

[3] Miishiin iniweniwan ekaa kaka isisekin kakiiwiintakin ahawe Vern Acoose kiishimikikate ekii oncisekin ihima Zagimē ka aapacitocin niishin pepaakan kaonic tiipentakosinaniwank sakakipiihikewin ememeiki aapaacicikatekin. Ihiwe niitam tipentakosiwin kaishi ooshiipiihikasonaniwank kainacikewac Zagimē's tipencikewin inacikewin mina ihiwe kootak sakakipiihikan kaishi niipitepiihikasonaniwank okiiooshitonawa ikiweniwak shoonyawikimaa Kanata. Ikiweniwak etaa kaooshiipiihikasowac isiseni ci aashitepiihikewac. Ohowe kainacikatek mayekise, shakooc kaawin cipiikonikemakak inakonikewin. Ihiwe kaawapancikatek, shaakooc, ishiiwapancikate ekaa ekwaayakoosek. Zagimē kechin ookanakatawentaan kiishpin isisek cikii ancitoowac owe kainaacikatek. Kiishpin noonkom kainacikatek wiikiciwinikatek, Zagimē okaa ishioonentan niikan cionacikec cionciisisek ikiweniwak awiiyak kaooshiipiihikasowac cinisitootamoowac cikii kakwetewac citaakookimakanewac ohoma.

An audio recording of this summary in Anishinaabemowin is available on the Court's website at:

<https://www.fct-cf.gc.ca/en/pages/media/webcast>

A copy of the decision can be obtained via the website of the Federal Court:

<https://decisions.fct-cf.gc.ca/fc-cf/decisions/en/item/525652/index.do>