

Fwd: Timmins Judge Slams Ice Road Blockade with a Dire Warning to Protesters

February 25, 2013

FYI - The below article represents the new wave of "law enforcement" on behalf of the corporate elite. This is an attack on Indigenous people!

Can't you just hear the bigshits at De Beers demanding that this judge, Riopelle do what he is told. Oligarchy Rules!!!

A similar thing is happening in the UK where protesters are getting the pants sued off them by EDF who will take their very homes from them for alleged loss of profits.

Pretty soon the Corporatists will go after the band councils, suing them and winning in court because the band councils are CORPORATIONS!!!

Meanwhile, why aren't all the big mouth pieces in the Idle No More Movement going to Attawapiskat to help out their allies.

Whatever happened to Solidarity??

THE VERY LEAST WE CAN DO IS WRITE SOME LETTERS, KEEP UP THE PRESSURE ON THE GOV AND KEEP THE ISSUE BEFORE THE PUBLIC ATTENTION!!

Take yer pick.

Kittoh

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<http://www.timminstimes.com/2013/02/22/timmins-judge-slams-ice-road-blockade-with-a-dire-warning-to-protesters#.USmWHTRXeRA.email>

Timmins judge slams ice road blockade with a dire warning to protesters

Friday, February 22, 2013 7:03:52 EST PM

De Beers Victor Mine Site Photo Credit: De Beers Canada.

By LEN GILLIS

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Superior Court Judge Robert Riopelle made it clear in Timmins Friday he is not about to put up with any effort, by anyone, who tries to ignore his court order to end the ice road blockade

near Attawapiskat, Ontario. He will also be taking steps to ensure the OPP does not get Caledonia-style shyness in enforcing the court order. [this is a racist remark in case you didn't get it]

Justice Riopelle said Friday afternoon he will take time during the weekend to draw up a fresh injunction, as requested by De Beers Canada, to order the blockade removed from the ice road located between the De Beers Victor Mine and community of Attawapiskat.

Justice Riopelle's first court order, one that has been ignored so far, will continue through the weekend and until Monday midnight. It follows a blockade that began 15 days ago. There was another blockade that began early in the month, but it was settled after a couple of days. This newest blockade sprang up a couple of days after that.

Riopelle became aware earlier this week that the blockade was continuing. Regardless he also agreed to hear submissions from some of the blockaders on why they took action. Those submissions were presented Friday morning by blockaders John Edwards, Rebecca Iahtail, Bruce Shisheesh, Gabriel Fireman and band chief Theresa Spence.

After hearing their concerns, the judge thanked them for making the trip from Attawapiskat to Timmins, but he made it clear that he has no intention on putting up with any further "illegal" actions just because a handful of people have personal issues they haven't been able to resolve.

With respect to the complaints the Attawapiskat residents voiced, Justice Riopelle told them there are already dispute-resolving mechanisms in place in the IBA (Impact Benefit Agreement). He said if they don't like that, they could go to court to resolve differences.

"What you do not do is set up a blockade which has nothing to do with First Nation constitutional rights," said the [big daddy patriarch] judge scolded.

He said he can understand that some residents might be upset with decisions that were made and those residents may want to pursue remedies.

"But illegal and criminal activity is not the way to do it," Justice Riopelle warned.

"Personal grievances that you may have against De Beers . don't give you the right to engage in unlawful and illegal activity," he continued.

[Riopelle is twisting the facts, he doesn't seem to know his history at all]

Riopelle also warned the blockaders there are times and places in Canada where civil disobedience is honoured and respected a viable means to protest, especially if it comes to disseminating information.

The Supreme Court of Canada has been clear that the laws for legitimate protest are to be protected said Justice Riopelle. He said this is especially the case when Aboriginals in Canada stage a legitimate protest.

"But if it is to shut down somebody's access to their property or to put deliberate economic harm, then that is something that cannot be tolerated," he said. He said what is going on at the ice blockade does not fit within the description of a legitimate protest.

"If I permit this to go on, if the rule of law is not enforced, what will happen without doubt, sooner or later Aboriginals will lose their ability to put up blockades, even when it is appropriate for them to do so," said Justice Riopelle.

"It is not appropriate at this time and if I let it go I am afraid they may lose the right to do it when it is the right time," he continued.

He said Canadians are not accepting of the setting up of blockades just to settle personal grievances.

Justice Riopelle looked intently at the many Aboriginals in the courtroom as he uttered a grave warning.

"This conduct is unlawful," he said. "Criminal charges will be laid."

Justice Riopelle then said he was going to address the issue of *"enforcement or lack of enforcement"* of the injunction.

"The police have a duty, an obligation, to enforce court orders," he said, adding that he did not put a time limit on the first court order.

[discretion of the police is always a wild card]

He said he left that up to the **discretion of the police**, since the judge said the police know best how to carry out enforcement without causing the issue to escalate. Riopelle said he does not want anyone to be injured, maimed or killed.

He added he doesn't want to see any police action to causes other Aboriginals "to rise up in protest" in other parts of the country.

THEY WILL TAKE YOU TO JAIL

"Make no mistake, they will enforce the order. They have to. They will. And when they do, they're going to arrest the people, or some people, that are on the blockade. And they're going to take you to jail. Very likely they will not be able to take you to jail in Attawapiskat," he warned. *"Make no mistake about it. It is going to happen."*

To that end the judge told Ontario Provincial Police lawyer Chris Diana that he will expect a daily report, beginning Monday, outlining exactly how the police are carrying out the court order. Riopelle said the first report must be made to him, in public court, Monday at 2:30 p.m. After that, he said he would like the OPP to create a page on a website so that the public can see on a regular basis, how the order is being enforced.

The judge also scorned the idea that some protesters were moving to a part of the ice road located over a river, thinking that they might skirt the law by saying they're not on the road, they're on the river. Riopelle said his injunction would cover every part of the ice road.

Moments later, court was adjourned. A De Beers spokesman said he was pleased with what transpired in the courtroom.

"We are pleased to see that obviously the judge had sided with the argument we brought forward. These are again individual-based concerns. These are not community-based concerns, and that these activities are really harming everybody" said **De Beers Canada director of external and corporate affairs Tom Ormsby**, adding that Riopelle's comments directed at community members were welcome.

"His words at the end were very appropriate. He said no good can come from this. It's just going to be a lot of harm for everybody. So we are hoping that those involved with understand that and they will realize that the best thing to do is remove the blockade," Ormsby continued.

Ormsby added that he is hopeful that the conflict will be resolved quickly because the mine provides an important economic engine for the area.

"The mine is providing benefits. There are 100 Attawapiskat members who work at the mine. There is another 100 self-identified First Nations members. Forty per cent of our workforce is Aboriginal.

Ormsby said the people who work at the mine know full well that if the supplies don't get through there is a very real case for temporarily shutting down Ontario's only diamond mine.

"Most people realize, this is a serious option. The mine could be facing some kind of closure," said Ormsby.

"I don't know from a scale point of view. But certainly it's going to be an impact in Timmins. There'll be an impact in Moosonee, in Kashechewan, in Fort Albany, in Attawapiskat, in Moose Factory. There will be impacts because we draw all our local materials from these areas and local businesses."

[Is Ormsby's last remark a veiled threat??]

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EDF suing No Dash for Gas climate activists for £5million

February 21, 2013. Source: Indymedia UK

Activists occupy 300ft chimneys at the West Burton power station - video

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