



**Presentation to the Legislative Committee of the Government
of Nova Scotia**

**Bill No. 3 – Striking of a Special Electoral Boundaries
Commission for the Region of Chéticamp**

Distingués membres du comité législatif,

Honorable Members of the Legislative Committee,

Thank you for the opportunity to address this esteemed committee today regarding Bill No. 3, concerning appointing a special electoral boundaries commission for the region of Chéticamp and surrounding.

Allow me to address you “en français” for a few words, than I will follow “en anglais”.

Nous sommes ici au nom de la Fédération acadienne de la Nouvelle-Écosse, représentant la communauté acadienne et francophone de la province. Nous avons l'honneur de présenter notre soutien au projet de loi 3, qui vise à créer une commission spéciale afin de revoir la délimitation des frontières électorales dans la région de Chéticamp, à la suite de la décision du juge Muise de la Cour suprême de la Nouvelle-Écosse.

Comme vous le savez, la cour suprême de la Nouvelle-Écosse a constaté que la décision de la commission de délimitation des frontières électorales ne respectait pas les principes de la Charte canadienne des droits et libertés, en particulier l'article 3, qui garantit à tous les citoyens canadiens un droit égal à la participation démocratique par le vote.

En dépit des principes d'égalité et de représentation équitable, la délimitation des frontières dans cette région a eu des

conséquences injustes, marginalisant la voix de nombreux citoyens, en particulier ceux de la communauté acadienne de Chéticamp. Cette situation est non seulement problématique sur le plan juridique, mais elle est également contraire aux valeurs fondamentales de la démocratie et de l'inclusivité.

Pour la Fédération acadienne de la Nouvelle-Écosse, cette question est particulièrement importante. La communauté acadienne de Chéticamp représente un pilier essentiel du patrimoine et de la culture acadienne en Nouvelle-Écosse. Nous avons été témoins des effets néfastes de la mauvaise délimitation des frontières électorales qui ont amoindri notre capacité à être représentés de manière juste et égale dans le processus électoral.

La Fédération acadienne de la Nouvelle-Écosse soutient fermement la création d'une commission spéciale pour revoir immédiatement la délimitation des frontières électorales pour la région de Chéticamp. Une commission indépendante et impartiale est la meilleure voie à suivre pour garantir que la répartition des

circonscriptions respecte les principes de la Charte et assure une représentation équitable pour tous les citoyens de cette région.

This bill, in alignment with the recent decision of the Supreme Court of Nova Scotia, marks an important step in addressing the concerns raised regarding the electoral representation of the Acadian community in the Chéticamp region. In light of the Court's ruling, it is critical that we move forward with both urgency and thoroughness to ensure that the rights of our citizens are respected and upheld.

Background and Context

In its recent ruling, the Supreme Court found that the decision of the majority of the Electoral Boundaries Commission to not create an exceptional electoral district for Chéticamp violated Section 3 of the **Canadian Charter of Rights and Freedoms**, which guarantees the right to effective voting and candidacy. Specifically, the Court ruled that the lack of a distinct electoral district for the Acadian community in Chéticamp resulted in an infringement on their voting and representation rights. This decision followed a

The Purpose of Bill No. 3

Bill No. 3 is a direct response to the Court's ruling and aims to address the electoral boundary issue for the Chéticamp region by establishing a special commission. This commission will be tasked with reviewing and making recommendations on the structure and boundaries of electoral districts to ensure compliance with the Charter, particularly Section 3 regarding effective representation.

The commission's work should include:

1. **Assessing the Acadian population's needs** in Chéticamp and surrounding area.
2. **Determining appropriate boundaries** for an electoral district that would allow for fair and effective representation.
3. **Consulting with the Acadian community and other stakeholders** to understand the unique challenges of the region and ensure that their voices are heard.

request that had been brought forward by the Acadian community, which highlighted the need for better representation of their population.

As the Court concluded, **Section 4 of the House of Assembly Act**, which pertains to the composition and boundaries of the House, was found to be invalid in its current form, in so far as it failed to ensure adequate representation for the people of Chéticamp. However, the Court has suspended this declaration of invalidity, providing the government with a timeline of 20 months to correct the issue and rectify the infringement.

Government's Response

Premier Tim Houston, in recognizing the Court's decision, affirmed the Government's commitment to respecting the right of every Nova Scotian to have effective representation in the legislative process. As stated by the Premier, the government "accepts the court's decision and appreciates the dedication of the Acadian community to advancing this important issue."

4. Providing recommendations on how best to proceed with creating an electoral district that complies with both the Charter and the Supreme Court's ruling.

Why This is Critical

The decision of the Supreme Court emphasizes the importance of ensuring that all Nova Scotians, regardless of where they live, have an equitable voice in their provincial legislature. For the Acadian community of Chéticamp, this means more than just a seat in the legislature—it means the ability to have their unique concerns addressed effectively, their culture recognized, and their community's needs properly represented.

By acting swiftly and decisively through this bill, the government will demonstrate its commitment to upholding the principles of democracy, inclusivity, and respect for the rights of all citizens. Furthermore, the establishment of the commission provides a transparent, fair, and consultative process to develop the most appropriate solution.

Next Steps

As we move forward with the passage of Bill No. 3, we encourage all members of this committee to consider the historic significance of this moment and the positive impact it will have on the people of Chéticamp. The special commission will ensure that we do not merely respond to the Court's decision but also take proactive steps to improve our democratic processes and ensure that every citizen in Nova Scotia is fully and effectively represented.

Thank you for your attention, and we look forward to your questions and feedback as we proceed with this important work.

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