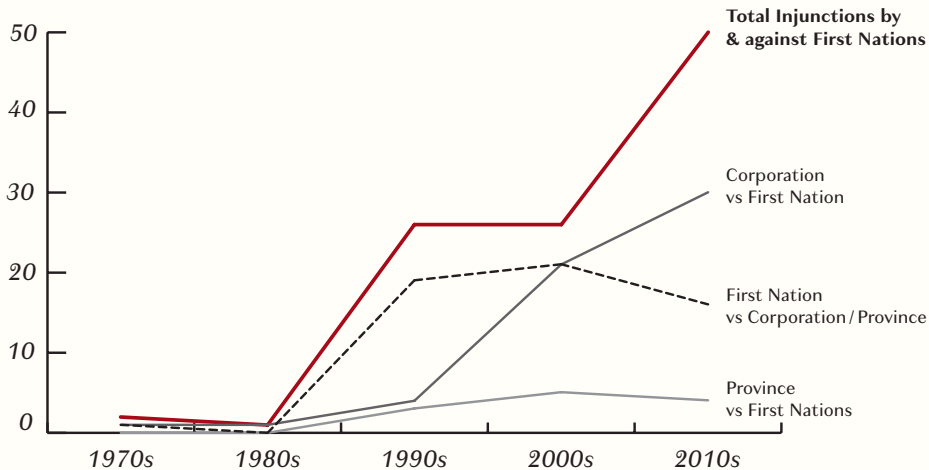


# A review of over 100 injunction cases involving First Nations across Canada found the following:

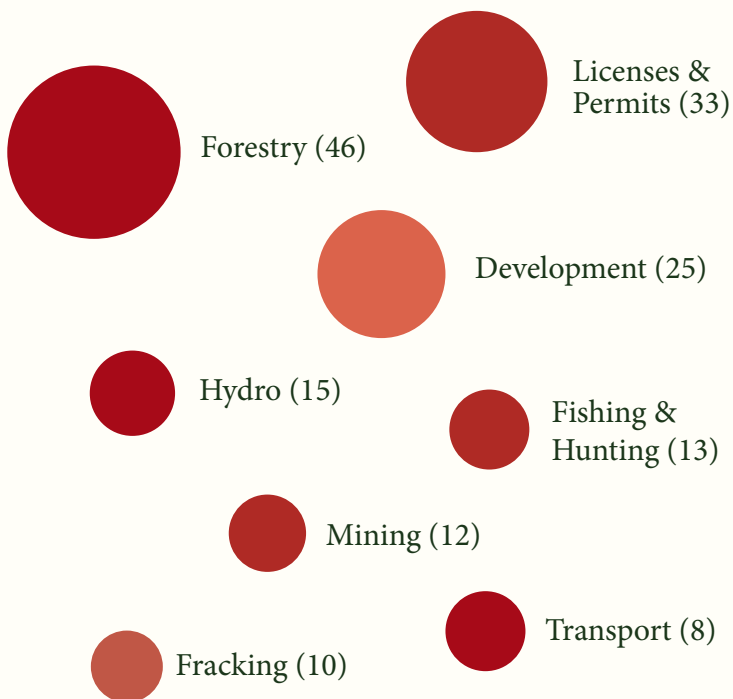
Over the last 20 years, a sharp increase appears in the number of injunctions filed.

Why? The legal system may in part be adjusting to Aboriginal constitutional rights introduced in 1982. The rise of Aboriginal rights law since then (coupled with the restoration and practice of Indigenous law), encouraged companies and the governments who support them to rely on new legal tools to push past Indigenous assertions of jurisdiction and ownership of over their lands and waters.



Injunctions filed between 1970 - 2019

Nearly **100%** of all injunction triggers surveyed relate to resource and development:



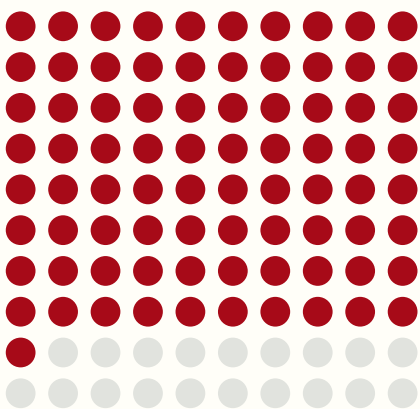
Approximately **90%** of the injunctions reviewed were Interlocutory or Interim Injunctions

For an **interim** or **interlocutory** injunction, one needs to prove someone is causing 'irreparable harm' and 'balance of convenience' is unjustly disrupted. These injunctions stay in force until the lawsuit is completed.

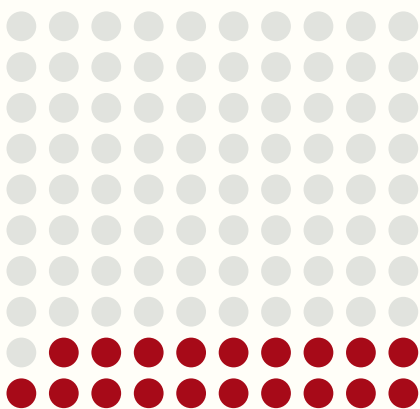
While it would make sense that going to trial to obtain a permanent injunction would be the logical and desired next steps, preliminary research shows this is often not the case.

**More often than not, a temporary injunction is enough: it is the quickest way to involve police and law enforcement.**

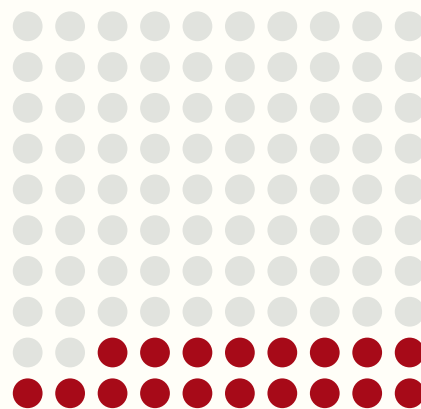
While the test for a **permanent** injunction sets a higher bar, one needs a 'cause of action', that is a strong set of facts for a full-trial lawsuit to obtain money, property, or the enforcement of a decision.



81% of injunctions filed against First Nations by corporations were granted.



81% of injunctions filed against corporations by First Nations were denied.



82% of injunctions filed against the government by First Nations were denied.