Cassels



Emilie Cox

Partner

Contact Information

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Office

Vancouver

Expertise

- Aboriginal
- Commercial Litigation
- Energy
- Regulatory
- Aboriginal Law Litigation & Dispute Advisory

Biography

Emilie Cox is a partner in the Aboriginal Law Group at Cassels. She maintains a broad Aboriginal law practice, providing advice to clients in the resource sector across Canada on matters relating to Aboriginal rights, the duty to consult, Indigenous-Crown relations, and project-related environmental and regulatory matters. Emilie also advises clients on issues pertaining to Indigenous self-governance, constitutional, and administrative law.

Emilie has extensive advocacy experience, including appellate litigation, commercial and international arbitration, and constitutional litigation. She regularly appears before the Federal Court of Canada on matters under judicial review pertaining to Aboriginal and environmental law. Emilie has devoted significant hours to pro bono work, including working to further LGBTQ+ rights in Alberta. She sits on the Board for the Elizabeth Fry Society of Calgary and the Elektra Choir in Vancouver.

Prior to joining Cassels, Emilie clerked at the Alberta Court of Queen’s bench and was an associate at another national law firm, before moving in-house at an integrated energy company based in Calgary.

Select Industry-side Mandates

- Acting for major project proponents with respect to federal and provincial environmental assessments and associated judicial reviews.
- Drafting and negotiating impact benefit agreements.
- Representing forestry operators and resource companies in Aboriginal title litigation.
- Representing a precious metal mining company with respect to its federal-provincial Joint Review Panel hearing for its project.
- Drafting and implementing Indigenous relations policies and strategies.
- Advising on various Aboriginal law-related matters, including the Crown’s duty to consult.
- Advising mining industry leaders regarding a federal proposal for a national benefits sharing framework in the extractive sector.

Select Public Sector Mandates

- Advising provincial regulators on the scope of their authority to consider the Crown's duty to consult in regulatory proceedings.
- Representing a public government in litigation concerning an assertion of Aboriginal rights infringement and an assertion of Aboriginal title.
- Representing federal agencies in judicial review proceedings before the Federal Court.
- Advising public governments on numerous Aboriginal law-related matters, including the applicability of provincial laws on reserve lands and the Crown's duty to consult.

Select Indigenous-side Mandates

- Representing Indigenous governments in litigation proceedings concerning Aboriginal rights at the Supreme Court of Canada.
- Representing Indigenous governments in judicial review proceedings before the Federal Court.
- Leading negotiation for capacity funding, rights assertion projects, self government and modern treaties.
- Representing Indigenous governments in drafting and negotiating a self-government agreements and related policy documents.
- Representing Indigenous governments in negotiations aimed at protecting and advancing Aboriginal rights.
- Advising Indigenous governments on various Aboriginal law-related matters including harvesting and land rights, negotiations with the Crown, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
- Advising Indigenous governments on the development of membership codes and other core governance documents.

Recent Representative Work

- Cassels Represents Métis Interveners in the Supreme Court of Canada's Decision on Indigenous Child Welfare Law

Insights

- In Focus: Recent Trends & Turning Points in Aboriginal Law Litigation (Cassels Webinar)
- UNDRIP and Recent Developments in Canadian Law – What's

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Next? (Cassels Webinar)
- Righting the Wrongs of the Past: The SCC Weighs in on Crown Duties and Interpretation of Historic Treaties with Indigenous Peoples

Pro Bono & Community Involvement

- Elizabeth Fry Society of Calgary, Vice President and Board Director – advocating for clients experiencing poverty, addiction and incarceration; connecting Indigenous clients with cultural resources and supports to encourage long-term healing and connection.

Education / Bar Admissions

- J.D., Dalhousie University, 2015
- B.A., University of Victoria, 2010

- Alberta, 2016
- British Columbia, 2021
- Yukon, 2026

Associations

- Law Society of Alberta
- Law Society of BC
- Women Lawyers Forum