



FIRST NATIONS SUMMIT

RESOLUTION #1206.05

SUBJECT: FIRST NATIONS SUMMIT SUPPORT FOR LEGAL ACTION BROUGHT FORTH BY THE CARRIER SEKANI TRIBAL COUNCIL RE: ENBRIDGE GATEWAY PIPELINE

WHEREAS

- A. The proposed Enbridge Gateway pipeline would cross the territories of numerous First Nations in BC.
- B. The federal government did not initiate any level of consultation with the affected First Nations prior to announcing the Joint Review Panel between the National Energy Board and the Canadian Environmental Assessment Agency (CEAA).
- C. The Carrier Sekani Tribal Council has requested consultation on the review process since January 2006, but the federal government has not responded favorably. The Carrier Sekani Tribal Council had few options but to pursue legal action in the federal court on October 25, 2006.
- D. The Carrier Sekani Tribal Council has filed in federal court requesting the decision of Minister Rona Ambrose to establish the joint review panel be overturned. The Carrier Sekani Tribal Council is seeking a declaration that the Minister has a constitutional duty to consult with the Carrier Sekani Tribal Council with respect to and prior to any decision as to the exercise of discretion pursuant to sections 25, 29 and 40(2) of the CEAA.

THEREFORE BE IT RESOLVED

1. The First Nations Summit Chiefs in Assembly support the legal action brought forth by the Carrier Sekani Tribal Council to overturn the federal decision to establish a joint review panel for the Enbridge Gateway pipeline without meaningful consultation with First Nations.
2. The First Nations Summit Chiefs in Assembly call on the Government of Canada to delay any further decisions on the review process for the Gateway pipeline until an agreement can be reached on First Nations involvement and consultation.
3. The First Nations Summit Chiefs in Assembly support the affected First Nations continuing to work together to discuss a parallel First Nations Review Process that is designed, implemented and accountable to the affected First Nations.

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MOVED BY: Chief Gibby Jacob, Squamish Nation

SECONDED BY: Kathryn Teneese, Ktunaxa Nation

DATED: December 1, 2006

Passed by consensus.

ENDORSED BY:



Chief Judith Sayers



Dave Porter



Grand Chief Edward John