AFN Special Chiefs Assembly
December 9-11, 2008 Ottawa, ON

Resolution no. 69/2008

SUBJECT:	SUPPORT FOR THE TREATY NO. 6, TREATY NO. 7 & TREATY NO. 8 FIRST NATIONS IN THEIR OPPOSITION TO THE LACK OF CONSULTATION BY RESOURCE DEVELOPMENT INDUSTRIES, PARTICULARLY OIL & GAS
MOVED BY:	Chief Cameron Alexis, Alexis Nakota Sioux Nation, AB
SECONDED BY:	Chief Glenn Hudson, Peguis First Nation, MB
DECISION:	Carried by consensus

WHEREAS:

A. The Treaty No. 6, Treaty No. 7, Treaty No. 8 First Nations have inherent rights as Treaty First Nations under *Treaty 6, 1876, Treaty 7, 1877, Treaty 8, 1899* and under Section 35 of the *Constitution Act, 1982*;

B. Both the Government of Canada and the Government of Alberta have responsibilities to First Nations to fulfill the Legal Duty to Consult under the *Constitution Act, 1982*; and under the terms of *Treaty 6, 1876, Treaty 7, 1877, Treaty 8, 1899*;

C. Both the Government of Canada and the Government of Alberta have issued Policy Guidelines and/or Interim Guidelines on Aboriginal Consultation and Accommodation for both Government Officials and Industry regarding the Legal Duty to Consult;

D. Some of the Resource Development Industries, particularly Oil & Gas have failed to properly uphold their obligations regarding Consultation and Accommodation of Treaty No. 6, Treaty No. 7, Treaty No. 8 First Nations with respect to First Nations Traditional Lands as required both by Law and Government Policy;

E. The Supreme Court of Canada has issued decisions on the Legal Duty to Consult; and

The Bonavista Petroleum Ltd. has failed to properly Consult and Accommodate Sunchild First Nation with respect to Sunchild Traditional Lands as required both by Law and Government Policy.

THEREFORE BE IT RESOLVED that:

1. Chiefs-in-Assembly support the Chiefs of Treaty No. 6, Treaty No. 7 and Treaty No. 8 in their specific demands for Bonavista Petroleum Ltd. to consult and accommodate Sunchild First Nation.

Certified copy of a resolution adopted on the 11th day of December, 2008 in Ottawa, ON

PHIL FONTAINE, NATIONAL CHIEF

2. Chiefs-in-Assembly call upon Resource Development Industries, particularly Oil & Gas in Alberta, to respect the legal duty to consult and accommodate the Treaty No. 6, Treaty No. 7, Treaty No. 8 First Nations as required both by law and government policy.

3. Chiefs-in-Assembly further reiterate their call upon all Governments to uphold the Honour of the Crown, and ensure appropriate consultation and accommodation of First Nations rights, titles and interests in all matters related to resource development.

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