
Assembly of First Nations

50 O'Connor Street, Suite 200
Ottawa, Ontario K1P 6L2
Telephone: (613) 241-6789 Fax: (613) 241-5808
www.afn.ca



Assemblée des Premières Nations

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Ottawa, Ontario K1P 6L2
Téléphone: (613) 241-6789 Télécopieur: (613) 241-5808
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ANNUAL GENERAL ASSEMBLY
July 9, 10, 11, 2024, Montreal, QC

Resolution no. 31/2024

TITLE: Support for Dene First Nations to Address Contamination from the Exxon Imperial Oil Limited Kearl Mine Site

SUBJECT: Water

MOVED BY: Chief Byron Louis, Okanagan Indian Band, BC

SECONDED BY: Judy Wilson, Proxy, Osoyoos Indian Band, BC

DECISION Carried by consensus.

WHEREAS:

- A. In 2023, the Exxon Imperial Oil Limited Kearl Mine site in the tar sands of northern Alberta allowed poisonous tailings pond waste to enter Denendeh territory contaminating the waters, aquatic life, animals, environment, and people.
- B. The Dene First Nations of the Northwest Territories are deeply concerned about not being informed of the leaks and spills by the Government of Canada, the Alberta Government, the Alberta Energy Regulator, and the Exxon Imperial Oil Limited Mine.
- C. The Denendeh territory, which also encompasses the Mackenzie River basin and 25% of Canada's Boreal Forest, is threatened by contaminated tailings ponds from Alberta's tar sands, which were developed without Dene First Nations of the Northwest Territories consent and have produced oil for six decades using toxic chemicals, resulting in over 2 trillion liters of wastewater that leach into the basin, affecting the Denendeh and the Circumpolar region.
- D. The federal government plans to regulate the release of treated tailings pond water into the environment by 2025 without the Dene First Nations of the Northwest Territories' participation, which the Dene Peoples reject, insisting the water should be recycled for bitumen processing instead.
- E. During March 14-16, 2023, the Dene First Nations of the Northwest Territories met in a historic summit at Inuvik to address concerns about water. The summit was broadcast territorial wide on CKLB radio and live-streamed internationally on Facebook. There were recommendations and daily summaries, and after the summit ended there was a press release issued.

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Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

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THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Support the Dene First Nations of the Northwest Territories in their pursuit in seeking accountability from the Government of Alberta and the oil/gas industry on the management, notification, and monitoring of tailings ponds, spills, and leaks.
2. Support the Dene First Nations of the Northwest Territories in urging Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to expand the Northern Contaminants Program mandate to consider contaminants from domestic Canadian sources such as tar sands, abandoned mines, pulp and paper mills, and hydro-electric projects, which all contribute to cross-boundary pollution.
3. Direct the Assembly of First Nations (AFN) to call upon all levels of government to meaningfully engage with First Nations governments as full partners on regulatory development and reform efforts for tailings management.
4. Direct the AFN to call upon the Ministers of CIRNAC and the Department of Fisheries and Oceans (DFO) to dedicate multi-year funding and resources from the Northern Contaminants Program and other applicable programs for Dene First Nations of the Northwest Territories to:
 - a. develop Indigenous-led monitoring efforts that include an independent study by structural engineers to evaluate the integrity of respective tar sand tailings ponds; and
 - b. develop a database for sharing Indigenous-led observations and studies on climate change and cumulative impacts throughout the Mackenzie River Basin; and
 - c. participate in all related transboundary water-related issues, including the Mackenzie River Basin Transboundary Waters Master Agreement; and
 - d. establish partnerships with independent laboratories for reliable and independent assessment of samples collected for contaminants testing; and
 - e. host subsequent Water Summits in the Northwest Territories.
5. Direct the AFN to call upon the Alberta Energy Regulator to develop protocols with the Dene Nations of the Northwest Territories related to the Mine Financial Security Program that will ensure that industry pays for the reclamation and remediation of tar sand tailings ponds.

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