TITLE:	Call for Canadian Government to launch formal investigation into cumulative impacts of shale gas developments on First Nation lands, resources and environment
SUBJECT:	Environmental contamination
MOVED BY:	Dave Porter, Proxy, Peace River, BC
SECONDED BY:	Grand Chief Doug Kelly, Proxy, Kwaw-kwaw-Apilt First Nation, BC
DECISION:	Carried by Consensus

WHEREAS:

A. First Nations have constitutionally protected Aboriginal Rights to ownership and jurisdiction of our lands and natural resources.

B. Article 27 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) declares: "States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories, and resources, including those which were traditionally owned or otherwise occupied or used [and] Indigenous peoples shall have the right to participate in this process".

C. Shale gas development is rapidly expanding on First Nations' territories throughout Canada.

D. Shale gas developments stand to adversely impact First Nation rights as recognized and affirmed by Section 35(1) of the *Constitution Act*, 1982.

E. Shale gas development may have serious negative consequences for human health and safety, air quality, and land and water resources.

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F. Shale gas developments – including but not limited to well sites, hydraulically fractured wells, gas and water pipelines, drilling waste disposal, forest clearances, borrow pits and water usage have occurred either without adequate consultation or in some cases (notably water assignments) with no consultation.

G. Various jurisdictions around the world, including Quebec, New York, South Africa and France, have placed moratoria on shale gas development pending a thorough examination of its potential long-term environmental and health impacts.

H. There is no coordinated process at present by any Provincial government agency to consider the cumulative effects of shale gas developments with affected First Nations.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Direct the National Chief to instruct the Crown to convene an inquiry to investigate in an in-depth manner the cumulative effects of shale gas developments on the environment and public health and safety.
2. Instruct that the Inquiry Commission include First Nation representation and develop a policy framework to assess and mitigate cumulative impacts of shale gas development on the land, air and water, taking into account Aboriginal interests and Treaty Rights in all affected First Nations' territories.
3. Further instruct that such an inquiry have the power to compel witnesses to testify, be open to members of the public, be required to publicly report its findings and make recommendations on how to mitigate cumulative impacts and ensure compliance in the Oil and Gas industry.

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