SPECIAL CHIEFS ASSEMBLY
DECEMBER 6, 7 & 8, 2011, OTTAWA, ON

Resolution no.69/2011

TITLE:	Moratorium on Hydraulic Fracturing
SUBJECT:	Natural Resource Extraction
MOVED BY:	Steven Nitah, Proxy, Lutsel K-e Dene Band, NWT
SECONDED BY:	Bill Erasmus, Proxy, Yellowknives Dene First Nation (Dettah), NWT
DECISION:	Carried by Consensus

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples states,

"Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination." Article 29 – 1

"States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent." Article 29 – 2

"States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources." Article 32 – 2

"Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration." Article 39

B. The method of hydraulic fracturing for natural gas, and for oil, in shale rock and other geologic deposits is occurring throughout Canada and is expanding in scope.

C. Hydraulic fracturing requires the use of vast amounts of fresh water from the surrounding environment, produces vast amounts of contaminated water which must then be stored or contained, and has been linked to the

Certified copy of a resolution adopted on the 8th day of December, 2011 in Ottawa, Ontario

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

contamination of ground and surface water, to human health impacts and to earthquakes and seismic activity in Canada and throughout the world.

D. Much of the current and proposed hydraulic fracturing in Canada is in the territory of First Nations communities, and requires the use of fresh water from these territories and the storage of contaminated water on these territories.

E. Most First Nations in Canada have not given their free, prior and informed consent to hydraulic fracturing on their territory. Most First Nations communities are not informed about the full impacts of hydraulic fracturing, largely due to the lack of research and information on the full impacts of hydraulic fracturing in Canada.

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

1. Direct the Assembly of First Nations to call upon federal government to conduct, starting immediately, comprehensive and objective research, with guidance and oversight by First Nations, on the short and long-term impacts of hydraulic fracturing, including:
    a. The impacts on water resources with respect to the amount of water that is required for fracturing operations;
    b. The impacts to ground and surface water with respect to the chemicals used in fracturing operations, the contaminated water that is produced in fracturing operations and how the contaminated water is treated and stored;
    c. The impacts of fracturing operations on human health.
2. Direct the Assembly of First Nations to require the federal government to consult with First Nations across Canada on hydraulic fracturing operations, including providing First Nations with comprehensive information on hydraulic fracturing so First Nations are in a position to provide free, prior and informed consent to these operations.
3. Direct the Assembly of First Nations to seek resources from the federal government directly to First Nations and supportive organizations in Canada so they may educate their constituents on and consult with their constituents on hydraulic fracturing in order to be in a position to provide free, prior and informed consent to these operations.
4. Direct the Assembly of First Nations to request the federal government implement an immediate moratorium on hydraulic fracturing for oil and gas until First Nations have the proper information on these operations, including the aforementioned research, and have given free, prior and informed consent to hydraulic fracturing operations.

Certified copy of a resolution adopted on the 8th day of December, 2011 in Ottawa, Ontario

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF