



BRITISH COLUMBIA
ASSEMBLY OF
FIRST NATIONS

507-100 Park Royal South
West Vancouver, BC
V7T 1A2

Ph: 604-922-7733
Fx: 604-922-7433



FIRST
NATIONS
SUMMIT

1200-100 Park Royal South
West Vancouver, BC
V7T 1A2

Ph: 604-926-9903
Fx: 604-926-9923
Toll Free: 866-990-9939



UNION OF
BRITISH COLUMBIA
INDIAN CHIEFS

500-342 Water Street
Vancouver, BC
V6B 1B6

Ph: 604-684-0231
Fx: 604-684-5726

News Release

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Federal Government comments damaging to the Impartiality of the joint review process

Coast Salish Territory, Vancouver, British Columbia – The First Nations Leadership Council is greatly troubled by recent comments by Prime Minister Stephen Harper and Minister of Natural Resources Joe Oliver advocating for the proposed Enbridge Gateway pipeline to proceed even before the Joint Review Panel's environmental review has begun.

Grand Chief Edward John states, "Federal politicians advocating for and promoting the proposed Enbridge project before the environmental review commences puts the entire review process in jeopardy. We question how the three National Energy Board panellists, who were appointed by the federal government, can fairly review this proposal when the Prime Minister and Minister of Environment openly promote what they perceive as the necessary outcome? In the end, it will be the federal government which decides on the panel's report, a decision that has apparently already been made".

"The federal government has a clear legal responsibility to consult with First Nations. Given the long list of Supreme Court decisions on the range of consultation options and given the magnitude of the potential impacts of Enbridge's proposal, the necessary consultation standard must be to seek the informed consent of First Nations' whose Aboriginal title and rights will be impacted by this proposed project", added Chief John.

BC Assembly of First Nations Regional Chief Jody Wilson-Raybould states, "The proposed Enbridge pipeline is highly controversial and is one of the biggest issues facing First Nations and Canada. How this process unfolds will be far-reaching with respect to the environment, Aboriginal title and rights, and the economy. It is imperative that the environmental review process which is established under law remain impartial and free from political interference."

Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs, stated, "Clearly water is the issue. Indigenous Peoples have the sacred duty and inherent obligation to defend the health and well-being of their communities as well as the environmental integrity of their territories. The fleeting, short-term economic gain promised by government and industry proponents of mega-projects like the Enbridge Pipeline, expansion of Kinder Morgan's Trans Mountain Pipeline, Taseko Mines' New Prosperity Mine and BC Hydro's Site C are being vehemently opposed by Indigenous Peoples who are thinking of the detrimental long-term impacts on their territories and on their communities."

The First Nations in British Columbia are reminding governments that substantive changes to the environmental review process without engaging First Nations governments contradicts the doctrines set out by the Supreme Court of Canada in *Haida Nation v. British Columbia* and to the principles set out in the United Nations Declaration on the Rights of Indigenous Peoples. Any changes must be made on a tripartite basis with First Nations being fully engaged in meaningful consultation. It is the intention of the BC First Nations' leadership to raise the environmental assessment processes in the upcoming meeting with the Prime Minister and Cabinet at the Crown-First Nation Gathering on January 24, 2012 in Ottawa.

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For more information please contact:

Grand Chief Stewart Phillip
President, Union of BC Indian Chiefs 250-490-5314

Grand Chief Edward John
Political Executive 778-772-8218
First Nations Summit

Courtney Daws 604-922-7733
Director of Operations
BC Assembly of First Nations