



FIRST NATIONS SUMMIT

NEWS RELEASE

***FOR IMMEDIATE RELEASE:
JANUARY 13, 2012***

Federal Government Comments Damaging to the Impartiality of the Joint Review Process

*An Open Letter from the First Nations Summit to
Prime Minister Stephen Harper*

Coast Salish Territory (Vancouver) — The First Nations Summit today released the attached open letter to Prime Minister Stephen Harper, regarding federal environmental hearings into the proposed Enbridge Gateway Pipeline.

The letter outlines the Summit's concerns about recent statements by the federal government which signals that Canada has already pre-determined the outcome of the controversial Enbridge pipelines proposal even before the panel responsible for assessing its impacts has commenced its hearings. This, in the Summit's opinion, has the real potential to completely undermine the independence and impartiality of the Joint Review Panel, its report and recommendations.

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The First Nations Summit speaks on behalf of First Nations involved in treaty negotiations in British Columbia. The Summit is also a NGO in Special Consultative Status with the Economic and Social Council of the United Nations. Further background information on the Summit may be found at www.fns.bc.ca.

For Further Information:

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FIRST NATIONS SUMMIT

January 12, 2012

The Right Honourable Stephen Harper, MP
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, Ontario K1A 0A2

Dear Prime Minister:

OPEN LETTER RE: ENVIRONMENTAL HEARINGS INTO THE PROPOSED ENBRIDGE PIPELINES PROPOSAL

We are deeply concerned that your government has already determined the outcome of the controversial Enbridge pipelines proposal even before the panel responsible for assessing its impacts has commenced its hearings. This, in our opinion, has the real potential to completely undermine the independence and impartiality of the Panel, its report and recommendations.

First Nations along the proposed pipeline route and those on the coast which stand to be impacted by proposed oil tanker traffic have constitutionally recognized and affirmed aboriginal rights, aboriginal title and treaty rights. They have every right to express serious concerns about, and views in protecting these interests, as they deem appropriate. It is absolutely inappropriate for First Nations communities which fight to protect their inherent and constitutional rights to be labeled by your government as "radical".

First Nations along the pipelines route have continuously and vociferously expressed views about the protection of water quality/quantity along the salmon migration routes and spawning and habitat areas. These concerns remain unacknowledged and unanswered by the Department of Fisheries and Oceans, Department of AAND, Department of Environment and by your government. We feel it is imperative that your government address these issues fully and directly with those First Nations. Your, or for that matter any, government, cannot ignore nor run roughshod over First Nations, their communities and their constitutional rights.

First Nations must be fully engaged in all processes leading to any and all government decisions regarding Enbridge's proposal. Given the law as developed in a long line of cases from the Supreme Court of Canada there is a legal requirement for governments to "consult" with First Nations regarding any and all land and resource development initiatives in their respective territories. As well, given the magnitude and potential environmental implications of Enbridge's proposal, it is our view that the appropriate consultation standard in this instance is the "free, prior and informed consent" of the First Nations concerned. This standard has been adopted by the United Nations in the UN Declaration on the Rights of Indigenous Peoples and is being implemented through the UN system. The International Finance Corporation has now adopted this standard and is being implemented effective January 1, 2012.

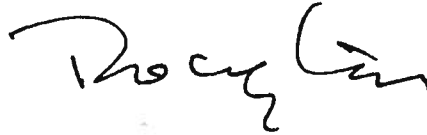
In conclusion, in our view, it is imperative your government respect the “recognized and affirmed” constitutional rights of First Nations and that appropriate legal instruments and mechanisms be developed, in conjunction with First Nations, when considering development initiatives in First Nations traditional territories.

Sincerely,

FIRST NATIONS SUMMIT TASK GROUP



Grand Chief Edward John



Chief Douglas White III Kwulasultun



Dan Smith

cc. Federal Cabinet Ministers
First Nations in BC
National Chief Shawn A-in-chut Atleo
BC Assembly of First Nations
Union of BC Indian Chiefs