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**TITLE:** Support for the Indigenous peoples of Ecuador

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**SUBJECT:** Treaty Rights, United Nations Declaration on the Rights of Indigenous Peoples, Sacred Sites, Environment

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**MOVED BY:** Grand Chief Edward John, Proxy for Tl'azt'en Nation, Martin, B.C.

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**SECONDED BY:** Chief Nathan Matthew, Simpcw First Nation (North Thompson), B.C.

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**DECISION:** Carried by Consensus

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**WHEREAS:**

- A. The United Nations Declaration on the Rights of Indigenous Peoples includes the following articles:
- i. Article 26(3): States shall give legal recognition and protection to these lands, territories, and resources. Such recognition shall be conducted with due respect to the customs, traditions, and land tenure systems of the Indigenous peoples concerned.
  - ii. Article 29(2): States shall also 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.
  - iii. Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
  - iv. Article 32(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.

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- B.** Tribes in the Lago Agrio region in Ecuador have been fighting Chevron for more than 20 years over environmental and social damages from hundreds of abandoned, unlined waste pits and the dumping of billions of gallons of oil waste into local waterways. The plaintiffs represent over 30,000 Indigenous people and mestizos living in the region. These peoples won a court judgment against Chevron that determined a large swath of Amazon land had been poisoned by oil and toxic waste.
- C.** Chevron was ordered to pay a \$9.5 billion judgment and \$9.5 billion in punitive damages for the environmental damage due to crude oil production in the region. Ecuador's Supreme Court unanimously affirmed the judgment but set aside the punitive damage award. Chevron has refused to pay the judgment and has threatened the indigenous groups and mestizos with a "lifetime of litigation" if they persist with their claims.
- D.** The Indigenous peoples in Ecuador have turned to the Canadian court system to seek an order by Canada that Chevron is to pay the \$9.5 billion in damages - which, after accrued interest is now worth \$12 billion - with its Canadian-held assets.
- E.** The Ecuadorian Indigenous peoples have met with Canadian Indigenous leaders this past year to seek support and to show them the environmental devastation in Ecuador caused by Chevron's irresponsible and sub-standard production practices.

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

- 1.** Fully support the Indigenous peoples of Ecuador through the signing of a cooperation protocol to address issues of mutual concern regarding protection of the environment, protection of Aboriginal and treaty rights, and corporate social and human responsibility.
- 2.** Call on the Government of Canada to table legislation to enable Indigenous peoples from other countries to expeditiously enforce awards and compensation orders of foreign courts in Canada against any corporation conducting business in Canada.

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