



# Office of the Grand Chief

To Protect, Promote, Bring to Life, Implement, and Sustain the True Spirit and Intent of  
Treaty No. 8 "as long as the sun shines, the grass grows, the rivers flow  
and until such time as Yidah should reverse"

c/o Santa Fe Plaza  
18178 – 102 Avenue  
Edmonton, Alberta T5S 1S7  
Telephone: (780) 444-9366 Fax: (780) 484-1465  
[www.treaty8.ca](http://www.treaty8.ca)

June 9, 2020

**Sent Via E-Mail**

Minister Schweitzer  
[ministryofjustice@gov.ab.ca](mailto:ministryofjustice@gov.ab.ca)  
Office of the Minister  
424 Legislature Building, 10800 97<sup>th</sup> Avenue  
Edmonton, Alberta T5K 2B6

Attention: Honourable Minister Schweitzer

**RE: The Sovereign Nations of Treaty 8 reject Government of Alberta Bill 1 "Critical Infrastructure Defence Act"**

As the Treaty 8 Chiefs, we represent the collective interests and rights of the Nations in Treaty 8, the original Nehiyaw, Denesoline and Tsattine peoples. We are denouncing the Government of Alberta Bill 1 *Critical Infrastructure Defence Act* and thereby reject it as it was created and enacted in complete disregard and ignorance to the Crown's Treaty relationship and obligations with our Sovereign Nations.

Bill 1 blatantly disregards our Sovereignty, our autonomy, our Inherent Rights and decision-making authority in respect to the lands of our people, Treaty 8 territory! The Alberta Court of Appeal decision in *Fort McKay First Nation v Prosper Petroleum Ltd.*, decision affirms that the honour of the Crown must be upheld in the implementation of our treaty, and that the Government of Alberta must act in manner which advances the intended purposes of Treaty No. 8 and upholds the Honour of the Crown.

The way in which Bill 1 *Critical Infrastructure Defense Act* was enacted ignores your government's obligations to our Nations under Canadian law. As the Supreme Court of Canada confirmed in 2018, legislation that infringes the constitutionally protected rights of Indigenous Peoples may be vulnerable to legal challenge, particularly where the Crown has failed to consult with the affected Indigenous groups about the legislation in question. To date no consultation has taken place between the Government of Alberta and our Nations about Bill 1 and its impacts on our Inherent and Treaty rights.

These decisions were made by the highest courts yet, Alberta Government continues to enact Bill 1, along with other legislation, in a manner that puts your government in contempt of Court. Does your Ministry agree? We want a response from the Government of Alberta on how it thinks they can pass legislation without due consideration of our Inherent and Treaty Rights and limit everyone's rights guaranteed under the Charter of Rights and Freedoms?

We remain committed to protecting and advancing our Inherent and Treaty rights. No decisions about the use and disposition of lands in our territory will be made without the full and complete participation of our Nations.

**Head Office:**  
Kee Tas Kee Now Tribal Council  
P.O. Box 360  
Red Earth Creek, Alberta T0G 1X0

It is not open to Alberta Government to enact legislation which unilaterally restricts our rights and interests of the Sovereign Nations and peoples. This legislation could criminalize our members in the exercise of our rights and freedoms guaranteed under Section 35 of the Constitution and the Charter of Rights and Freedoms.

The Government of Alberta must immediately withdraw Bill 1 and respect our Sovereign Nation's jurisdiction and authority of our lands, waters, and resources in Treaty 8. We look forward to hearing your response.

Govern yourself with respect,



Arthur Noskey  
Grand Chief  
Treaty 8 First Nations of Alberta

*Chiefs of the Sovereign Nations of Treaty 8*

cc: Minister Rick Wilson, Indigenous Relations