



June 17, 2015

BY FAX: (613) 998-8760

His Excellency the Right Honourable David Johnson
 Governor General of Canada
 Rideau Hall
 1 Sussex Drive
 Ottawa, Ontario K1A 0A1

Excellency:

Re: Bill S-6: An Act to amend the Yukon Environmental and Socio-economic Assessment Act and the Nunavut Waters and Nunavut Surface Rights Tribunal Act

We, the Chiefs of the Yukon First Nations, request that you do not give Royal Assent to Bill S-6. We ask this because the Government of Canada has not enabled the Crown to fulfill its constitutional duties to our First Nations in respect of this legislation. Bill S-6 will make certain amendments to the *Yukon Environmental and Socio-economic Assessment Act* (the “YESAA”). YESAA is treaty-based legislation intended to enable the Yukon First Nations, the Government of Canada and Yukon Government to achieve objectives and satisfy legally binding commitments set out in the Yukon land claim agreements for development assessment in the Yukon.

The agreements include a mutual commitment by the treaty parties to work collaboratively in a tripartite process to develop YESAA and periodically review its success. In keeping with this commitment, YESAA was enacted in 2003, following years of collaboration amongst the Yukon First Nations and the federal and territorial governments. Subsequently, in 2008, the Parties undertook a joint review of the implementation of its provisions. All of this was consistent with the objectives and provisions of the Yukon land claim agreements.

However, in Bill S-6, the Government of Canada intends to alter this treaty-based legislation, and to do so unilaterally, in order to advance its own agenda with respect to assessment of resource projects in Canada’s North. By proceeding unilaterally, the federal government has not acted in a manner consistent with its treaty obligations or its constitutional duties, including the duty to act in the honour of the Crown.

Over the past year, the Yukon First Nations have raised concerns to the Crown and its representatives about proposed amendments to the YESAA pursuant to Bill S-6 that relate to four key issues. We have raised these concerns to the Standing Senate Committee on Energy, the Environment and Natural Resources on September 25, 2014 in Ottawa and to the Standing Committee on Aboriginal Affairs and Northern Development on March 30, 2015, in Whitehorse. The Government of Canada has failed to respond to our concerns. Instead, the Government has relied upon the Conservative majority in the House of Commons and Senate to drive the Bill forward, without amendment or pause to consider other options. Then, on the day that the House of Commons passed third reading of Bill S-6, the Minister of Aboriginal Affairs invited Yukon First Nations by letter to participate in developing a memorandum of understanding to address the implementation of the Bill, on the premise that the Government had done no wrong in proceeding as it has.

This is unacceptable. We cannot commit to work to implement provisions of legislation that undermines our land claim agreements. We say the Government cannot simply disregard its constitutional duties and run roughshod over its treaty obligations in order to unilaterally implement its own political agenda.

We are committed to the reconciliation of our Aboriginal and treaty rights, titles and interests with the Crown through the implementation of the Yukon land claim and self-government agreements. But if Bill S-6 is brought into legal force, the Yukon First Nations will be forced to take steps to protect the integrity of our agreements, including the treaty-based legislation. These steps may well jeopardize the reconciliation process that has been underway in the Yukon over the past two decades. It is truly unfortunate that the federal government has put us in this position.

Among your duties as the Governor General of Canada, you give Royal Assent to acts of Parliament. While we appreciate that you act on the advice of the Prime Minister and the Government of Canada, you do have the right to advise, to encourage and to warn. We know you can offer valued counsel to the Prime Minister, and we ask you to do so.

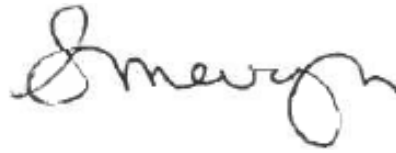
We ask you, as the Governor General, to promote and foster the continuation of the reconciliation process under our land claim agreements by not giving Royal Assent to Bill S-6 and by urging the Government to fulfill the honour of the Crown by respecting the spirit and intent and meeting its obligations and duties under the Yukon land claim agreements.

We would be pleased to answer any questions you may have. Please contact Grand Chief Ruth Massie, Council of Yukon First Nations, at 867-393-9224, or via e-mail at: ruth.massie@cyfn.net

Yours truly,



Chief Steve Smith
Champagne & Aishihik First Nation



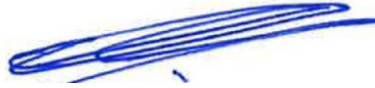
Chief Simon Mervin
First Nation of Na-Cho Nyak Dun



Chief Kristina Kane
Ta'an Kwäch'an Council



Chief Roberta Joseph
Trondëk Hwëch'in



Chief Danny Cresswell
Carcross Tagish First Nation



Chief Roger Kyikavichik
Vuntut Gwitch'in First Nation



Chief Carl Sidney
Teslin Tlingit Council



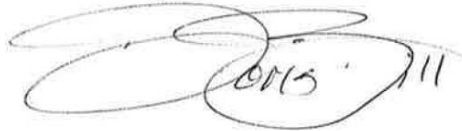
Chief Eric Fairclough
Little Salmon Carmacks First Nation



Chief Math'ieya Alatini
Kluane First Nation



Chief Kevin McGinty
Selkirk First Nation



Chief Doris Bill
Kwanlin Dün First Nation



Grand Chief Ruth Massie
Council of Yukon First Nations



President James Wilson
Gwich'in Tribal Council

CC. (BY E-MAIL)

The Right Honourable Stephen Harper, PC, MP
The Honourable Bernard Valcourt, PC, MP, Minister of Aboriginal Affairs
Mr. Ryan Leef, MP
Mr. Thomas Mulcair, MP
Mr. Justin Trudeau, MP
The Honourable Darrell Pasloski, Premier of Yukon
Ms. Wendy Randall, Chair, Yukon Environmental and Socio-economic Assessment Board