

## **International Treaty to Protect the Sacred from Tar Sands Projects**

The representatives from sovereign Indigenous Nations, tribes, and governments, participating in the Gathering to Protect the Sacred on January 23 – 25, 2013, on the 150 year anniversary of the Treaty Between the Pawnee and Yankton Sioux, have gathered on the Ihanktonwan homelands, and have resolved by our free, prior, and informed consent to enter into a treaty to be forever respected and protected. We agreed upon the following articles:

### **ARTICLE I**

*The undersigned Indigenous Peoples have inhabited and governed our respective territories according to our laws and traditions since time immemorial.*

### **ARTICLE II**

*As sovereign nations, we have entered into bi-lateral and multi-lateral agreements with other nations including the Treaty Between the Pawnee and Yankton Sioux, Mother Earth Accord, the Spiritual Leaders Declaration, the Agreement to Unite to use 16 Guiding Principles, and the Black Hills Sioux Nation Treaty Council Declaration, and all the inter-tribal treaties in the Western hemisphere, among others, which promise peace, friendship, and mutual opposition to tar sands projects and energy development that threaten the lands, the waters, the air, our sacred sites, and our ways of life, and acknowledge other Indigenous Peoples such as the Yinka Dene, the ‘people of the Earth’ who have exercised their lawful authority to ban tar sands projects from their territories through Indigenous legal instruments such as the Save the Fraser Declaration and the Coastal First Nations Declaration.*

### **ARTICLE III**

*We act with inherent, lawful, and sovereign authority over our lands, waters, and air, as recognized by Article 32 of the United Nations Declaration on the Rights of Indigenous Peoples which provides:*

*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.*

### **ARTICLE IV**

*We mutually agree that tar sands projects present unacceptable risks to the soil, the waters, the air, sacred sites, and our ways of life including:*

- *The destruction of the homelands of the Cree, Dene, and Métis peoples in the tar sands region.*
- *The threat of pipeline and tanker oil spills into major river systems, aquifers and water bodies such as the Salish Sea, the North Pacific coast, and the Ogallala Aquifer.*
- *The negative cumulative health impacts of tar sands projects on Indigenous Communities.*

- *The irreparable harm to irreplaceable cultural resources, burial grounds, sacred and historic places, natural resources, and environmental resources of the central plains region which is the aboriginal homelands of many Indigenous Indian Nations.*
- *Greenhouse gas pollution that could lock the planet onto a path of catastrophic climate change.*

#### **ARTICLE V**

*We affirm that our laws define our solemn duty and responsibility to our ancestors, to ourselves, and to future generations, to protect the lands and waters of our homelands and we agree to mutually and collectively oppose tar sands projects which would impact our territories, including but not limited to the Keystone XL pipeline, the Enbridge Northern Gateway, or the Kinder Morgan Trans Mountain pipeline and tanker projects.*

#### **ARTICLE VI**

*We agree to mutually and collectively, as sovereign nations, call upon the Canadian and United States governments to respect our decision to reject tar sands projects that impact our sacred sites and homelands; to call upon the Canadian and United States governments to immediately halt and deny approval for pending tar sands projects because they threaten the soil, water, air, sacred sites, and our ways of life; and, confirm that any such approval would violate our ancestral laws, rights and responsibilities.*

#### **ARTICLE VII**

*We agree to the mutual, collective, and lawful enforcement of our responsibilities to protect our lands, waters, and air by all means necessary, and if called on to do so, we will exercise our peace and friendship by lawfully defending one another's lands, waters, air, and sacred sites from the threat of tar sands projects, provided that each signatory Indigenous Nation reserves and does not cede their rights to act independently as the tribal governments see fit to protect their respective tribal interests, further provided that each signatory Indigenous Nation reserves its inherent sovereign right to take whatever governmental action and strategy that its governing body sees fit to best protect and advance tribal interests affected by the pipeline project consistent with the agreements made herein and subject to the laws and available resources of each respective nation.*

**This Treaty of mutual defense and support is made on the occasion of the 150 year anniversary of the Treaty Between the Pawnee and Yankton Sioux concluded between the Pawnee Nation and the Ihanktonwan Oyate/Yankton Sioux Tribe on January 23rd, 1863, and the parties thereto hereby commemorate the signing of that historic treaty that has endured without violation for 150 years.**

**This Treaty goes into effect once ratified by the governing bodies of the signatory nations.**

**IN WITNESS WHEREOF, the undersigned authorized representatives, after having deposited their full powers found to be in due and proper form, sign this treaty on behalf of their respective governments, on the date appearing opposite their signatures.**