Speaking Notes for the National Chief

House of Commons Legislative Committee on Bill C-39

November 3, 2026, 11:00 AM

Opening Remarks

Aanii, Boozhoo, Chi Megwetch.

Good morning, I am Cindy Woodhouse Nepinak, National Chief of the Assembly of First Nations.

I'd like to acknowledge that we are here on the traditional, unceded, and unsurrendered territory of the Algonquin Nation.

Thank you to the Committee for the invitation to appear today on Bill C-39, the *Building Canada Strong Act*.

This morning we will tell you why the AFN cannot support Bill C-39, and what we ask of each of you.

First Nations understand this is a difficult time in Canada's history.

While the trust is fragile, we have always stood for this country in difficult times.

The federal government has called Bill C-39 the most consequential economic legislation of this Parliament.

We should expect such legislation to be matched by an equally consequential level of Parliamentary consideration and public review.

When the Bill was introduced on September 21, we urged the government to uphold the honour of the Crown and give First Nations the time and opportunity to be heard. We cautioned against using its majority to cut short debate through time allocation or closure.

Since then, it has become the worst-kept secret in Ottawa that the government plans to ram this omnibus Bill through by Christmas.

We hope you prove us wrong.

As we heard at last week's First Nations and First Ministers meeting, many Chiefs across Canada are concerned with both the process and substance of Bill C-39.

Consistent with resolutions adopted by First Nations-in-Assembly, the Assembly of First Nations opposes legislative measures that weaken environmental protections, compress review timelines, limit meaningful consultation, or fail to uphold Free, Prior and Informed Consent.

The AFN therefore does not support Bill C-39 in its current state.

Bill C-39 does not meaningfully implement the Crown's duty to consult and accommodate, or the *United Nations Declaration on the Rights of Indigenous Peoples Act*.

The proposed "one project, one review, one year" approach imposes arbitrary timelines on complex projects, while failing to address First Nations capacity and funding constraints.

Rights holders must have the time their own laws and decision-making processes require. The federal government cannot put commercial deadlines ahead of its obligations to First Nations.

Independent review mechanisms are being cast aside in this Bill to allow projects to begin before final impact assessment decisions.

Simply put, this Bill represents a mass dilution of environmental protection and First Nation rights.

Many Chiefs at last week's gathering with First Ministers also made it clear that Economic Reconciliation in 2026 requires First Nations to be development partners where they choose to participate.

Yet this major project legislation includes no requirements for First Nations ownership, revenue sharing, procurement, co-governance or equitable participation in project benefits.

First Nations have been persistent and patient. Now it is our turn to lead the change we need. Respecting our decisions and investing in our capacity is how Canada builds lasting partnerships.

Last month, the federal office responsible for major projects told Members of Parliament that First Nations have "every right" to be skeptical of them.

When confronted with legitimate concerns about the Pacific Link pipeline designation from British Columbia Chiefs at their fall Assembly, the Major Projects Office said that First Nations frustration made it feel like Canada was never going to work.

As our Regional Chiefs from BC, Ontario and Quebec said so well, the government needs to stop seeing First Nations as barriers to Canada's economic future.

First Nations are rights holders, governments, Treaty partners and essential to building a sustainable Canadian economy. Each First Nation speaks for itself on its rights, territory, and development decisions.

The federal government can create all the project offices, consultation hubs, advisory groups and development zones they want.

But they can't put an expiry date on First Nation Rights.

When First Ministers tried to exclude First Nations from the process to repatriate Canada's Constitution in the early 1980s, our leaders fought to ensure that a provision, Section 35, recognized and affirmed Treaty rights and pre-existing, Inherent rights.

When First Nations were told Section 35 was simply an empty box, we fought in Canada's court system and proved that wrong.

The rights our leaders fought to have recognized must be upheld in practice. That means respecting First Nations' laws and free, prior and informed consent before decisions are made about our lands and territories.

The truth is that First Nations want this country to succeed. We have demonstrated this through our actions, most recently when First Nations stood against separation and turned out in numbers in the October 19 referendum.

We understand Canada is at a crossroads in its relationship with First Nations. Our rights are under attack in new ways.

Sadly, Bill C-39 is the latest example.

But First Nations are not afraid. Far from it.

So, our request of each of you is simple.

Do not support time allocation or closure on this bill.

Hear from as many First Nations as you can, before you go to clause-by-clause.

And if Bill C-39 comes back to the House in this form, vote against it.

Chi-miigwetch/Thank you