

Assembly of First Nations

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SPECIAL CHIEFS ASSEMBLY
December 2-3-4, 2025, Ottawa, ON

Resolution no. 49/2025

TITLE: Protecting the Sacred Calving Grounds of the Porcupine Caribou Herd from Oil and Gas Development

SUBJECT: Environment, Rights

MOVED BY: Chief Pauline Frost, Vuntut Gwitchin First Nation, YT

SECONDED BY: Chief Elizabeth Wright, Teet'l'it Gwich'in Band Council, NT

DECISION: Carried by consensus

WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:

- i. Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.
- ii. Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- iii. Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
- 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.

B. The Gwich'in Nation, spanning what is now known as Alaska, Yukon, and the Northwest Territories, and the Na-Cho Nyäk Dün and Tr'ondëk Hwëch'in in the Yukon, have relied on the Porcupine Caribou Herd to meet their nutritional, cultural, and spiritual needs.

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- C. The Porcupine Caribou Herd, with between 100,000 and 200,000 animals, is one of the last healthy migratory barren ground caribou herds in North America.
- D. The Gwich'in, Na-Cho Nyäk Dün and Tr'ondëk Hwëch'in, have the Inherent right to continue their way of life, and this right is recognized and affirmed by Article 1 of both the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights which reads, in part, "In no case may a people be deprived of their own means of subsistence."
- E. The vital importance of the continued well-being of the Porcupine Caribou Herd through management of the herd and its habitat is acknowledged in the Porcupine Caribou Management Agreement (1985) and the Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd (1987); both of which the Government of Canada is a signatory.
- F. The Coastal Plain of the Arctic National Wildlife Refuge in northeastern Alaska, the critical calving and post-calving grounds of the Porcupine Caribou Herd, has been under threat from proposed oil and gas development for decades in the United States.
- G. The entire Gwich'in Nation was called together by their Chiefs in Arctic Village in 1988 to carefully address this issue and to seek the advice of Elders. This resulted in Gwich'in of every community from Arctic Village, Venetie, Fort Yukon, Beaver, Chalkyitsik, Birch Creek, Stevens Village, Circle, and Eagle Village in Alaska; and from Old Crow, Teetl'it Zeh, Tsigiehtchic, Aklavik, and Inuvik in Canada, deciding by consensus to oppose proposed oil and gas development in the sacred calving grounds of the Porcupine Caribou Herd.
- H. The Parties to the Porcupine Caribou Management Agreement (1985) representing users of the herd in Canada, have collectively spoken in opposition of oil and gas development in the Coastal Plain of the Arctic National Wildlife Refuge.
- I. The Assembly of First Nations (AFN) First Nations-in-Assembly passed multiple resolutions expressing their unanimous support for the Gwich'in Nation and their protection of the Porcupine Caribou Herd, including resolution 61/2015, *Prohibit Development in the Calving and Post-Calving Groups of the Porcupine Caribou Herd*; 110/2016, *Support the Protection of the Arctic National Wildlife Refuge*; 24/2017, *Prohibit Oil and Gas Exploration and Development in the Sacred Calving Grounds of the Porcupine Caribou Herd*; and 17/2020, *Support for First Nations Climate Leadership, Food Sovereignty, Environmental Protection, Stewardship and Conservation*.
- J. Since the first term of United States (US) President Trump, oil and gas development in the Arctic National Wildlife Refuge has been mandated through US legislation, initially via the Tax Cuts and Jobs Act of 2017, and subsequently through the One Big Beautiful Bill Act of 2025 during his second term.
- K. While former Prime Minister Trudeau committed to helping safeguard the Porcupine Caribou Herd calving grounds in the Arctic National Wildlife Refuge through the Roadmap for a Renewed United States-Canada Partnership, the same commitment has not yet been made by Prime Minister Carney and his government.
- L. The current renewed threat facing the Porcupine Caribou Herd and its habitat by the US Government is serious and urgent. Oil and gas development is mandated under US law despite the lack of free, prior and informed consent of the Gwich'in, Na-Cho Nyäk Dün and Tr'ondëk Hwëch'in, and the Trump

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Administration has declared a National Energy Emergency that enables the fast-tracking of permits for energy and critical mineral projects, further weakening environmental protections and accelerating industrial development, even in ecologically and culturally sensitive areas.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Direct the Assembly of First Nations (AFN) to support efforts aimed at upholding the Inherent rights of the Gwich'in, Na-Cho Nyäk Dün and the Tr'ondëk Hwëch'in, to self-determination and providing permanent protection of the Coastal Plain of the Arctic National Wildlife Refuge.
2. Direct the AFN to advocate with Prime Minister Mark Carney to commit to safeguarding the Porcupine Caribou Herd calving grounds in the Arctic National Wildlife Refuge in Alaska.

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