



## What is the history of this issue and how does it impact First Nations?

First Nations recognize that a healthy ecosystem is fundamental to exercising our rights, responsibilities, and laws. This understanding enables us to live in harmony and steward our lands and waters in a sustainable manner. Due to the unique nature of First Nations relationships with territories and the biodiversity within, First Nations Peoples across Turtle Island have, and continue to, experience various harmful effects related to environmental racism, exacerbated by climate change. Industrial practices and pollution accelerate climate change and endanger our ponds, lakes, rivers, and oceans, and our inherent and Treaty rights thereby.

The Water Sector is mandated to advocate for water stewardship, jurisdiction over water (title and rights), and First Nations-led conservation and protection initiatives related to inland and marine areas (e.g., protected areas, habitat loss, biodiversity conservation, etc.). Central to this protection is the specific role that First Nations women play as caretakers of the water. In keeping with this custom, women, along with youth and gender-diverse people, remain a fundamental part of all decision-making where water is implicated. Accordingly, the Water Sector endeavours to apply a gender-based lens to all work. Despite growing recognition of this gender-based lens, ensuring inclusion of those critical voices in policy and legislation remains a challenge.

## How has the AFN's recent advocacy affected this area?

**Conservation and Biodiversity:** Marine-based Indigenous Protected and Conserved Areas (IPCAs) are a key conservation tool that empowers First Nations-led stewardship and jurisdiction over water. The Marine IPCA Sub-Working Group, created in January 2022 under the Advisory Committee on Climate Action and the Environment (ACE), identifies priorities, synergies, and issues related to the establishment of IPCAs in marine and coastal areas. Since its inception, the sub-working group has been developing a report detailing opportunities and recommendations for how the federal government can overcome barriers to the wide establishment of marine IPCAs in Canada.

We work closely with the AFN Environment Sector on international advocacy that urges Canada to fully commit to First Nations-led conservation. Our advocacy has focused on the respect and recognition of First Nations' rights in the development of the new Convention on Biological Diversity's (CBD) Post-2020 Global Biodiversity Framework. Once negotiated, the goals and targets set under this framework will guide global conservation efforts for the next decade and in turn, shape Canadian biodiversity policies across a wide range of legislation and initiatives.



**International Marine Protected Areas Congress (IMPAC 5):** The Water Sector has also been involved, along with First Nations and First Nations organizations, in the planning of the Fifth International Marine Protected Area Congress (IMPAC 5), to ensure that First Nations interests are reflected at the global event scheduled for February 3-9, 2023. IMPAC 5 brings together ocean conservation professionals, Indigenous Peoples and high-level officials, on the use of Marine Protected Areas (MPAs) as a key tool for the conservation of marine biodiversity. The global event will be the first major international marine conservation event following the CBD Conference of the Parties (COP-15) and provides a significant opportunity to secure a federal commitment on the establishment of marine-based Indigenous Protected and Conserved Areas (IPCAs).

**Sustainable Development:** Canada is a signatory to the United Nations Sustainable Development Goals (SDGs), which were adopted by resolution in 2015. Since then, Canada has released an SDG 2030 Agenda, as well as an SDG Implementation Plan. In both cases, First Nations were not consulted on these documents. As a result, we are continuing to advocate to ensure Canada includes First Nations leadership, participation and decision-making in all SDG-related policy processes. Additionally, an AFN national virtual forum was held in March 2022 which brought together First Nations leaders and others to learn about the SDGs, and to discuss First Nations' priorities for sustainable development.

**Nuclear Storage and Waste:** The Sector continues to build understanding of Adaptive Phased Management (APM) which is the process selected for the long-term storage of nuclear waste in Canada, and whereby nuclear waste is stored in Deep Geological Repositories (DGR). Given the potential risks to water, we advocate for full transparency and meaningful engagement with First Nations and are developing information products directed at First Nations.

**Canadian Environmental Protection Act (CEPA):** Working alongside the Environment Sector, we have supported the AFN's appearance before the Standing Committee on Energy, the Environment and Natural Resources (ENEV) as witness to Bill S-5: *An Act to amend the Canadian Environmental Protection Act, 1999, to make related amendments to the Food and Drug Act and to repeal the Perfluorooctane Sulfonate Virtual Elimination Act*. CEPA is the main conduit for environmental protection, yet the proposed amendments do not adequately address the protection of First Nations lands and waters, nor do they provide a clear mechanism for implementing protection efforts within First Nations territories.

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### Where do we hope to go in the future?

In addition to the above, the Water Sector will, in collaboration with the AFN Infrastructure Sector, support the full and meaningful inclusion of First Nations in all discussions related to the



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development of the Canada Water Agency (CWA). First Nations organizations, Tribal Councils and First Nations must be adequately resourced in order to fully engage in discussions with the federal government on the creation of this agency.

With respect to First Nations traditional roles and responsibilities related to water protection and conservation, the AFN Water Sector is planning an inaugural AFN National Water Walk scheduled for October 11, 2022 – the UN’s International Day of the Girl (Child). This event will raise awareness of First Nations water issues, support and uplift the traditional roles of First Nations women, youth and gender-diverse people, including those present-day First Nations water defenders, and reaffirm our inherent and Treaty rights.

Finally, as we continue to build capacity, so grows the scope of our advocacy. In alignment with the Environment, Lands & Water Branch, we anticipate enhanced collaboration across sectors and branches, specifically related to climate change, contaminants, and impact assessments, including participating in the AFN’s second National Climate Gathering planned for September 27-29, 2022, in Fredericton, New Brunswick.