



ANNUAL GENERAL ASSEMBLY
July 9, 10, 11, 2024, Montreal, QC

Resolution no. 25/2024

TITLE:	Advocating for an ambitious, fully funded, and implemented First Nations Climate Leadership Agenda (FNCLA)
SUBJECT:	Climate Change, Environment
MOVED BY:	Chief Byron Louis, Okanagan Indian Band, BC
SECONDED BY:	Judy Wilson, Proxy, Osoyoos Indian Band, BC
DECISION	Carried by consensus.

WHEREAS:

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

- i. Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas, and other resources and to uphold their responsibilities to future generations in this regard.
- ii. Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
- iii. Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
- 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.

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- v. Article 32(3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.
- B. The climate crisis continues to alter First Nations' relationships with the lands the Creator has bestowed upon First Nations and upon which First Nations have Inherent rights as entrenched in Section 35 of the *Constitution Act, 1982*, reaffirmed in the UN Declaration, and grounded in Treaties and other constructive arrangements between First Nations and the Crown.
- C. In 2022, the Government of Canada, through the 2030 Emissions Reduction Plan and Budget 2022, identified \$29.6 million over three years (2022-23 to 2024-25) to support the development of distinctions-based climate leadership agendas, supporting self-determined action in addressing First Nations, Inuit, and Métis climate priorities. This work has taken place on a distinctions-basis.
- D. In a First Nations context, the funding has been provided to First Nations governments and representative organizations, known as First Nations Regional Leads, to support internal capacity and engagement with their regional communities and leadership. Over 30 Regional Leads from across the country have been identified to advance this work.
- E. The Government of Canada is also dialoguing directly with modern treaty and self-governing First Nations on a bilateral basis, as appropriate.
- F. The outcome of this process will include the development of two documents: i) a First Nations Climate Leadership Agenda (FNCL Agenda), the direct articulation of First Nations' regional and national climate recommendations; and ii) a Memorandum to Cabinet, Canada's proposal to implement the FNCL Agenda and its recommendations.
- G. To provide appropriate governance for the process, a series of technical and leadership meetings between First Nations, Environment and Climate Change Canada, and Crown-Indigenous Relations and Northern Affairs, as well as other relevant federal departments, have been taking place. First Nations regional leadership are meeting with federal Ministers in June 2024, and before the submission of the Memorandum to Cabinet in Fall 2024.
- H. In these sessions, First Nations have communicated their expectation to directly participate in the drafting and decision-making of the Memorandum to Cabinet at, or above, the precedent set in the development and eventual passage of the Species-at-Risk Act, which involved full, direct, and unfettered participation of First Nations.
- I. The commitment to the distinctions-based Indigenous Climate Leadership Agenda has also been captured in the UN Declaration Act's Action Plan. Shared Priority #46 commits to "...ensuring that First Nations, Inuit, and Métis peoples have stable, long-term financing to implement their climate actions, make climate-related decisions with the Government of Canada, and that systemic barriers to Indigenous climate leadership are addressed."
- J. In 2023, the First Nations-in-Assembly passed resolution 36/2023, *Urgent and Transformative Climate Action through the AFN National Climate Strategy*, reaffirming the declaration of a First Nations Climate Emergency and endorsing the AFN National Climate Strategy and the seven priority areas.

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

1. Call on the Government of Canada to ensure the full, direct, transparent, and unfettered participation of First Nations in the finalization of the First Nations Climate Leadership process, including in the Memorandum to Cabinet and Treasury Board Submissions.
2. Call on all relevant departments in the Government of Canada to commit to fully implementing and funding the recommendations identified in the First Nations Climate Leadership Agenda, including regional-specific recommendations, ensuring stable, adequate, and long-term funding for First Nations rights, title, and Treaty holders to implement their own climate priorities and strategies.
3. Direct the Assembly of First Nations (AFN), where appropriate, to support First Nations Regional Leads and First Nations leadership, in the design, development, and articulation of the First Nations Climate Leadership Agenda, building on regional priorities and the priority elements outlined in the AFN National Climate Strategy.
4. Direct the AFN to work with First Nations rights, title, and Treaty holders to break-down siloes to ensure all relevant departments in the Government of Canada take a whole-of-government approach to implement the recommendations outlined in the First Nations Climate Leadership Agenda in federal climate policy.
5. Direct the AFN to provide an update to the First Nations-in-Assembly on the implementation progress on the First Nations Climate Leadership Agenda.
6. Call on the Ministers of Indigenous Services Canada and Environment and Climate Change Canada to meet with all impacted First Nations across Canada at least twice a year to discuss First Nations Climate Change issues and needs.

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