



SPECIAL CHIEFS ASSEMBLY
December 3, 4, 5, 2024, Ottawa, ON

Resolution no. 98/2024

TITLE:	Solidarity with Palestine and Palestinian Self - Determination
SUBJECT:	Rights and Justice
MOVED BY:	Chief Louis Kwissiw, Netmizaagaming Nishnaabeg (Formally Pic Moberg First Nation), ON
SECONDED BY:	Chief George Ginnish, Natoaganeg (Eel Ground) First Nation, NB
DECISION	Approved by the AFN Executive Committee by consensus

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 7 (1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - ii. Article 7 (2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
 - iii. Article 22 (2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.
 - iv. Article 26 (1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
 - v. Article 26 (2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
 - vi. Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision

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shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

- B.** Indigenous Palestinians continue to face extreme acts of colonial and settler violence in the form of land theft, indiscriminate bombings and massacres of civilians, journalists, aid workers, and health professionals, and the sabotage of humanitarian relief efforts.
- C.** The estimated death toll exceeds 186,000 people, with women and children comprising the majority. This number includes thousands buried under rubble, and those who have died due to the destruction of hospitals, food distribution systems, and other essential civilian infrastructure.
- D.** On December 29, 2023, South Africa submitted a case to the International Court of Justice (ICJ) accusing Israel of “genocidal acts” in Gaza. In its provisional ruling in January 2024, the ICJ concluded that it is plausible that Israel’s actions in Gaza could amount to genocide, and ordered that Israel take all measures to prevent any acts contrary to the 1948 Genocide Convention.
- E.** Israel has escalated its military offensive in the region, such as by increasing violence towards Lebanon, Syria, Iran, and Iraq, including acts of terror such as pager attacks, the bombing of civilians and civilian infrastructure, and targeted killings of peacekeepers in the United Nations Interim Force In Lebanon (UNIFIL).
- F.** These acts of genocide by the Government of Israel against Palestinians for over 75 years closely mirror that of the histories of the genocide of First Nations on Turtle Island - from ethnic cleansing, ecocide, targeting of women and children, forced starvation, systematic destruction of Indigenous knowledge systems and displacement and dispossession from our territories. The oppressions of Indigenous Peoples are intertwined globally and thus bind us in solidarity with one another.
- G.** In December 2023, the First Nations-in-Assembly unanimously passed Assembly of First Nations (AFN) Resolution 82/2023, *Call for a Permanent Ceasefire in Israel-Gaza Crisis*, directing the National Chief to send a letter to the Government of Canada to call for an immediate and permanent ceasefire, an end to the occupation of Gaza, the release of all Israeli and Palestinian hostages, the unimpeded flow of immediate humanitarian aid, and full respect for international human rights law in all occupied Indigenous Peoples’ lands in both Gaza and the occupied West Bank.
- H.** On July 26, 2024, Canada, Australia, and New Zealand jointly called for an immediate ceasefire in Gaza and asked Israel to respond to the ICJ’s ruling that Israel’s occupation of Palestinian territories and settlements was illegal and should be withdrawn as soon as possible.
- I.** Despite Canada’s commitments to reconciling with its own history of colonization, as well as the domestic implementation of the UN Declaration, Canada is failing its obligations to fully respect international human rights law in all occupied Indigenous People’s lands.
- J.** Canada is complicit in the ongoing violence in Gaza and the larger region by refusing to recognize the State of Palestine, and not taking sufficient action domestically and internationally to stop the Government of Israel’s ongoing genocide of Palestinians and the illegal occupation of their lands.

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

1. Support the rights of the Palestinian people to exercise self-determination in their traditional lands and territories, and the rights of Palestinians displaced by the forces of settler colonialism to return to their lands.
2. Call on the Government of Canada to recognize Palestinian statehood, and to unconditionally condemn illegal settler occupation and modern forms of colonization in line with its commitments to the *United Nations Declaration on the Rights of Indigenous Peoples*.
3. Direct the Assembly of First Nations (AFN) to send a letter to Prime Minister Justin Trudeau urging the Government of Canada to exercise their political power and obligations under international law and to:
 - a. Immediately implement economic sanctions against the Government of Israel, as per the *Special Economic Measures Act*, for their violation of the sovereignty and territorial integrity of Palestine, war crimes, and grave human rights violations they continue to commit.
 - b. Investigate its military trade with the Government of Israel as per the *Arms Trade Treaty*, and immediately implement a two-way arms and military technology embargo, halting the flow of arms to the Israeli Government, including by stopping planned shipments via the United States, and suspending new and all existing export licenses, permits, and agreements.
 - c. Monitor and take action against Canadian citizens and Canadian charity involvement in illegal settlement activity in occupied Palestine territories sanctioned by the Government of Israel.
4. Encourage First Nations to build relationships with Palestinians living in their traditional and Treaty territories as an act of solidarity between colonized peoples, engage with Palestinian solidarity networks, and promote cultural exchange and awareness regarding the ongoing oppression and violence against Palestinians and Indigenous Peoples globally.

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SPECIAL CHIEFS ASSEMBLY
December 3, 4, 5, 2024, Ottawa, ON

Resolution no. 99/2024

TITLE:	Pardon for Steve Donziger
SUBJECT:	Justice; Environment
MOVED BY:	Grand Chief Edward John, Tl'azt'en Nation, BC
SECONDED BY:	Chief Colleen Erickson, Nak'azdli Whut'en, BC
DECISION	Approved by the AFN Executive Committee by consensus

- A.** The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 26(3): States shall give legal recognition and protection to these lands, territories, and resources. Such recognition shall be conducted with due respect to the customs, traditions, and land tenure systems of the Indigenous peoples concerned.
 - ii. Article 29(2): States shall also take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous peoples without their free, prior, and informed consent.
 - 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.
- B.** Steven Donziger is a United States (U.S.) human rights attorney who represented Indigenous Peoples and local communities in the Ecuadorian Amazon in a landmark environmental lawsuit against Chevron. The case resulted in a \$9.5 billion judgment against Chevron for dumping billions of gallons of toxic oil waste into the region's waterways and onto Indigenous ancestral lands. This pollution caused severe environmental damage and health impacts for those living in the area.

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- C. Ecuadorian courts found Chevron liable in the case for \$9.5 billion in damages for environmental and human rights violations in Ecuador. In response, Chevron removed its assets from Ecuador to avoid enforcement of the judgment against it. To this day, Chevron has not paid the \$9.5 billion damages award owing to the Indigenous Peoples and local communities in the Ecuadorian Amazon.
- D. Chevron has targeted Steven Donziger with a private criminal prosecution in New York State courts on a misdemeanor contempt of court charge. This case marked one of the first times a private corporation prosecuted one of its critics resulting in their detention. Chevron's prosecution of Donziger led to his detention at home and in prison for almost three years, from 2019 to 2022. As a result of Chevron's prosecution, Donziger was disbarred by the New York Bar and the District of Columbia Bar.
- E. This unprecedented corporate-led prosecution has been condemned as illegal by five members of the United Nations Working Group on Arbitrary Detention (WGAD), three federal judges including two from the US Supreme Court, prominent international trial monitors including former US Ambassador for War Crimes Stephen A. Rapp, 475 legal organizations from around the world, and 68 Nobel Laureates.
- F. Through Assembly of First Nations (AFN) Resolution 67/2017 *Support for the Indigenous Peoples of Ecuador*, the First Nations-in-Assembly supported Indigenous Peoples in Ecuador in their fight against Chevron, agreed to fully support the Indigenous Peoples of Ecuador by signing a cooperation protocol to address issues of mutual concern, and called on the Government of Canada to table legislation to enable Indigenous Peoples from other countries to expeditiously enforce in Canada the awards and compensation orders of foreign courts against any corporation conducting business in Canada.
- G. Amnesty International recently issued an Urgent Action bulletin recognizing Steven Donziger as a "prisoner of conscience" and asked its 2 million members around the world to write to President Biden to urge him to pardon Steven Donziger.

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

1. Reaffirm their support for the Indigenous Peoples in Ecuador affected by Chevron's actions and for their legal advocate, Steven Donziger.
2. Call on Chevron to pay the \$9.5 billion in damages awarded to the Indigenous Peoples of Ecuador and other plaintiffs.
3. Call on the Government of Canada, through Prime Minister Trudeau, to request that U.S. President Biden correct this injustice by pardoning Steven Donziger and making a clear statement that his administration stands for human rights, environmental justice, and the rule of law.
4. Mandate the Assembly of First Nations National Chief to immediately send a letter to Chevron urging them to pay the \$9.5 billion in damages awarded to Indigenous Peoples of Ecuador, and a separate letter to U.S. President Biden requesting that he pardon Steven Donziger before leaving office.

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SPECIAL CHIEFS ASSEMBLY
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Resolution no. 100/2024

TITLE:	Support for Increased First Nations Languages Funding
SUBJECT:	Languages
MOVED BY:	Chief Leroy Denny, Eskasoni First Nation, NS
SECONDED BY:	Chief Sylvia Weenie, Young Chippewyan First Nation/Stoney Knoll Band, SK
DECISION	Approved by the AFN Executive Committee by consensus

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 13 (1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places, and persons.
 - ii. Article 14 (1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
 - iii. Article 16 (1): Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
- B. On May 9, 2019, the House of Commons passed the *Indigenous Languages Act* (ILA) with unanimous consent at third reading.
- C. The ILA received Royal Assent on June 21, 2019, and establishes measures to facilitate the provision of adequate, sustainable, and long-term funding for the reclamation, revitalization, maintenance, and strengthening of Indigenous languages.
- D. The Government of Canada has since failed to fulfill its legislative requirements under the ILA and has reduced funding in the Indigenous Languages Component (ILC).
- E. The Government of Canada reduced federal funding for First Nations languages from \$118 million in 2023/24 to \$85 million in 2024/25.

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- F. The Government of Canada has reduced funding for First Nations languages during the fifth anniversary of the ILA and the second year of the United Nations Educational, Scientific and Cultural Organization (UNESCO) *International Decade of Indigenous Languages* (IDIL).
- G. Sections 8 and 9 of the ILA provide the Minister of Canadian Heritage with the ability to coordinate efforts to efficiently and effectively support Indigenous languages in Canada and enter agreements with First Nations to further the purposes of the ILA.
- H. The Government of Canada does not have a renewed funding commitment to support any new or existing section 8 and 9 agreements with First Nations in 2025/2026, further demonstrating their lack of consistent long-term funding for the revitalization of First Nations languages.
- I. The 2022 Assembly of First Nations (AFN) Report, *Revitalizing First Nations Languages: A Costing Analysis*, estimates that \$3.8 billion is required over the next five years to promote life-long learning in First Nations languages by supporting language reclamation, revitalization, maintenance, and strengthening outside schools.
- J. *The First Nations Languages Funding Model: Position Paper* advocates for a shift away from proposal-based funding and toward the implementation of ongoing programmatic funding for language revitalization, and the use of long-term agreements under Section 8 and 9 of the ILA.

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

1. Reaffirm that First Nations have the Inherent and Treaty rights to speak their languages which are recognized and affirmed under section 35 of the *Constitution Act, 1982*, and under the *United Nations Declaration on the Rights of Indigenous Peoples*.
2. Reaffirm that the Government of Canada has the financial responsibility to support the reclamation, revitalization, maintenance and strengthening of all First Nations languages, including by means of a whole-of-government approach.
3. Call on the Government of Canada to immediately address funding needs to uphold the inherent and Treaty rights of First Nations by committing \$3.8 billion over the next five years for language reclamation, revitalization, maintenance, and strengthening outside schools, and committing renewed funding for section 8 and 9 agreements under the *Indigenous Languages Act* (ILA).
4. Call on all parties in the House of Commons to engage with First Nations to ensure that the purposes of the ILA of supporting the reclamation, revitalization, maintenance, and strengthening of Indigenous languages are fulfilled.
5. Call on the AFN to develop and implement a political action plan that includes members of parliament from all major parties and also consists of a media campaign informing all Canadians of the federal government's failure to meet its commitment to First Nations languages and subsequent abandonment of them as a funding priority.

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SPECIAL CHIEFS ASSEMBLY
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Resolution no. 101/2024

TITLE: Alignment of National Strategies enabling Community-Driven, Nation-Based Planning and Self-Determination

SUBJECT: Fiscal Renewal, Data Governance, Community Development

MOVED BY: Chief Cheryl Casimer, ?Aqam First Nation, BC

SECONDED BY: Chief Lance Haymond, Kebaowek First Nation, QC

DECISION Approved by the AFN Executive Committee 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 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
- iii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- iv. 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.
- v. Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

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- B.** The Government of Canada adopted the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA) in 2021 and thereafter published its *2023-2028 UNDA Action Plan*. These legally commit the Government of Canada to recognizing and respecting the rights of Indigenous peoples in all aspects of their self-determination.
- C.** One of the key goals stated by the Government of Canada in its *2023-2028 UNDRIP Action Plan* states: “*Indigenous governments, like any order of government, have access to ongoing, long-term and stable fiscal mechanisms and revenues to fulfil their roles and responsibilities as governments, and ensure their citizens’ wellbeing and ability to thrive.*”
- D.** The roles and responsibilities of First Nation governments include exercising these ten functions of governance: citizenship, leadership, public engagement, planning and risk management, basic administration, law-making, human resources management, information management and technology, financial administration, and external relations.
- E.** The Government of Canada also adopted the *Indigenous Community Development National Strategy* (ICDNS). The purpose of the ICDNS is to guide Indigenous Services Canada (ISC) and Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) in building and investing in effective and sustainable Indigenous communities, government and services. ISC and CIRNAC committed to the implementation of the ICDNS through four pillars: Support community-driven, nation-based planning initiatives and capacity building through dedicated, multi-year funding; Support Indigenous community-to-community learning through funding, support and opportunities; Build and strengthen collaboration and partnerships within and across government departments to implement priorities identified by Indigenous communities; and Strengthen government’s awareness of cultural diversity.
- F.** Community-led planning enables incremental development; it is inherently flexible and helps to predict what funding is sufficient to sustain functions of governance, management and service delivery, ensuring each First Nation has the capacity they need to fully exercise their self-determination and engage in Nation-to-Nation and government-to-government relationships.
- G.** First Nations-in-Assembly in the Quebec region (AFNQL Resolution No. 05/2019, *Resolution in Support of Permanent Funding for Comprehensive Community Planning*) and the First Nations-in-Assembly at the national level (AFN Resolution 57/2024, *Inherent Right to Community Development Planning*) have already adopted resolutions calling upon the Government of Canada to fully support community planning initiatives, by upholding its ICDNS commitment and providing predictable, sustainable, adequate, flexible and multiyear funding to First Nations.
- H.** The Government of Canada has been attempting to modernize the funding provided to First Nations governments with objectives of establishing authorities that provide flexible, predictable, sustainable and sufficient resources to carry out governance, management and service-delivery functions.
- I.** The Government of Canada has recognized the sovereignty of First Nations in regards to data and is investing in institutional capacity to allow them to carry out data governance and reporting functions.
- J.** However, to this day, the Government of Canada has yet to respect its commitment and to provide dedicated, permanent, sustainable funding to support First Nations in the full exercise of their legally recognized rights to self-determination, decision-making, development, strategizing and prioritizing by investing in the core function of planning.

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

1. Call upon the Minister of Indigenous Services Canada (ISC) to extend and stabilize funding for First Nations governments currently involved in community planning, including funding for the regional organizations assisting First Nations governments with their capacity building.
2. Call upon the Minister of Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to take the lead in implementing the co-developed Indigenous Community Development National Strategy, recognizing that it is a whole-of-government approach to achieving federal commitments to Indigenous Peoples.
3. Direct the Assembly of First Nations (AFN) to establish a federal/First Nations collaboration table through which to align current work underway in the modernization of funding (10-year grants) with the Indigenous Community Development National Strategy, and the implementation of the National First Nations Data Governance Strategy, three significant national strategies that together, enable self-government and promote accountability.
4. Direct that this collaboration table work with ISC and CIRNAC to establish, by April 1, 2027, community-driven, nation-based spending authorities to enable community planning and carry out the other functions of governance, in order to prepare First Nations governments for service-delivery transfer.

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SPECIAL CHIEFS ASSEMBLY
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Resolution no. 102/2024

TITLE:	Call for Canada to Fulfill the UN Declaration Obligations in Relation to Proposed Carbon Capture and Storage Projects
SUBJECT:	Rights; Environment
MOVED BY:	Chief Gary Lameman, Beaver Lake Cree Nation, AB
SECONDED BY:	Chief Kelsey Jacko, Cold Lake First Nations, AB
DECISION	Approved by the AFN Executive Committee by consensus

WHEREAS:

- A.** *The United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states that:
- i. Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
 - ii. Article 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
 - iii. Article 26(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.
 - iv. Article 29(2): States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
 - v. 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.
 - vi. 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,

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particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

- vii. 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. Canada has adopted UN Declaration into its domestic law through the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA), which requires Canada to develop a framework for implementing the UN Declaration and take all measures necessary to align its laws with the UN Declaration.
- C. The implementation of the UN Declaration has the potential to transform how First Nations participate in natural resource development, including ensuring that we are meaningfully involved in decisions that may adversely impact our communities.
- D. Carbon capture and storage is a process designed to prevent carbon dioxide from being released into the atmosphere from industrial plants involving the capture of carbon dioxide from a plant, compression for transportation via pipeline, and injection deep into a geologic formation for “permanent storage”.
- E. The Pathways Alliance is planning to develop a carbon capture and storage project that would capture CO₂ from 13 oil sands facilities in the Lower Athabasca Region and transport this CO₂ over 600km from the oilsands region to central Alberta, where it would be injected underground for storage (“Pathways Alliance CO₂ Transportation Network and Storage Hub Project” or “Pathways Project”). This would be the largest carbon capture and storage project in Canada and one of the largest in the world.
- F. The Pathways Project would transport CO₂ through the traditional territories of Treaty 6 and 8 First Nations and store the CO₂ underneath reserve lands of Treaty 6 First Nations. First Nations own the pore space beneath reserve lands and are concerned it may be affected by CO₂ storage and seepage.
- G. Alberta has taken the position that it does not believe it has a duty to consult with First Nations in respect of the storage hub aspect of the Pathways Project. To date, Canada has not determined whether its duty to consult and accommodate First Nations has been triggered in respect of the Pathways Project.
- H. Alberta does not mandate an emergency release plan for carbon dioxide pipelines, nor does it require proponents to release information about how the carbon dioxide is likely to spread, despite carbon plumes having the ability to move a considerable distance from their release point.
- I. Concerns about environmental and health impacts from carbon capture and storage projects globally are well-documented. Carbon capture and storage projects can worsen air pollution, cause dangerous leaks or explosions, negatively impact waterways and lands, and have risks for groundwater contamination.
- J. On October 25, 2024, the Alberta Energy Regulator determined that it would not conduct an environmental impact assessment of the Pathways Project under the *Environmental Protection and Enhancement Act*.
- K. Pathways Alliance has been lobbying federal government officials since early 2023 and has specifically asked for “assurance that the Pathways pipeline, hub and capture projects would not require a federal review under the *Impact Assessment Act*.”

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- L. On December 2, 2024, Beaver Lake Cree Nation, Cold Lake First Nations, Frog Lake First Nations, Heart Lake First Nation, Kehewin Cree Nation, Onion Lake Cree Nation and Whitefish (Goodfish) Lake First Nation #128 (the "Treaty 6 First Nations") sent a letter to the federal Minister of Environment and Climate Change Canada, requesting that he designate the Pathways Project so that it will require a federal impact assessment under the *Impact Assessment Act*.

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

1. Call on the Government of Canada and the Province of Alberta to immediately carry out their obligations under the *United Nations Declaration on the Rights on Indigenous Peoples* (UN Declaration) to:
 - a. Consult and cooperate in good faith with concerned First Nations in respect of carbon capture and storage projects in order to obtain their free, prior, and informed consent before approving any carbon capture and storage projects and to take appropriate measures to mitigate adverse impacts from carbon capture and storage projects;
 - b. Take effective measures to ensure no storage or disposal of hazardous materials take place in First Nations' territories without their free, prior, and informed consent;
 - c. Recognize First Nations' ownership, use, control and development over their own lands, territories, and resources, and give legal recognition and protection to those lands, territories, and resources; and
 - d. Engage in dialogue with First Nations toward developing carbon capture and storage regulations in a manner that respects First Nations' inherent jurisdiction, Treaty rights, and rights recognized under UN Declaration.
2. Direct the Assembly of First Nations to support the Treaty 6 First Nations' request for a federal impact assessment of the Pathways Project.

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SPECIAL CHIEFS ASSEMBLY
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Resolution no. 103/2024

TITLE:	Call for Permanent All-Season Roads in the Territories of Windigo First Nations Council
SUBJECT:	Infrastructure
MOVED BY:	Frank McKay, Proxy, Whitewater Lake First Nation, ON
SECONDED BY:	Chief Russell Wesley, Cat Lake First Nation, ON
DECISION	Approved by the AFN Executive Committee 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 20 1. 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.
 - iii. Article 21 2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.
 - iv. Article 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
 - v. 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.
- B.** The remote communities located in Ontario's Far North, and in other provinces and territories, rely on networks of winter roads to get essential goods and services into their communities.

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- C. Winter road networks have become increasingly unreliable due to climate change. Combatting the increasingly short period of access to and unsafe conditions on winter-only seasonal roads critically raises the need to advance permanent all-season roads solutions in the Windigo First Nations Council (WFNC) territory.
- D. To further compound the problem, costs have increased sharply for the WFNC communities since the COVID-19 pandemic, creating additional undue economic hardship for the most vulnerable and economically challenged First Nations communities in Canada.
- E. The First Nations communities of Bearskin Lake, North Caribou Lake, Sachigo Lake, Cat Lake and Slate Falls Nation have been planning for a system of permanent roads in their territory since 2014. Due to the proximity of Muskrat Dam First Nation, this community also plays an integral role in the planning and development of this project.
- F. The WFNC has completed the detailed planning and engineering work for an all-season road network, including a 5-year Infrastructure Plan, detailed route alignment study, and extensive in-community engagements.
- G. The WFNC has identified routes totaling 613 kilometres of new and/or improved all-season roads to be built at a cost of \$318 million.
- H. A business case study has revealed that a system of permanent roads in the territory will contribute significantly to:
 - i. making life, goods and services significantly more affordable for WFNC community members;
 - ii. building long-term survival and resiliency to climate change for these communities; and
 - iii. increasing jobs, educational and economic opportunities for the people and their businesses.
- I. The construction of permanent roads and routing identified by the WFNC has received overwhelming support (95%) from the people and land users in the territory.
- J. The plan identified by the WFNC to build permanent roads is a concrete, sustainable step towards addressing climate change and making life more affordable for WFNC communities.
- K. The Assembly of First Nations (AFN) Closing the First Nation Infrastructure Gap report indicates that \$35.5 billion is required to provide year-round road access to First Nations in rural and remote communities across Canada.

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

1. Direct the National Chief and the Assembly of First Nations (AFN) Executive Committee to:
 - a. Immediately assist the Windigo First Nations Council Chiefs in their advocacy efforts to negotiate with the federal government, specifically Transport Canada and Housing, Infrastructure and Communities Canada, to secure funds for the construction and ongoing maintenance of permanent all-season roads in their territories;
 - b. Call on Canada to provide funding in the upcoming federal budgets for First Nations to begin planning their year-round road access infrastructure systems, and for the implementation of such systems for those First Nations who already have such plans in place; and
 - c. Advocate for First Nations with winter road networks who require year-round road access, as identified in the AFN's Closing the Infrastructure Gap report, to mitigate the negative impacts that climate change is having on their winter road networks.

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Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

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