

Embedding First Nations Climate Leadership at COP 29

POSITION PAPER
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Assembly of First Nations

The Assembly of First Nations (AFN) is the national, political organization of First Nations governments and their citizens, including those living on and off reserve. While the leaders of change are First Nations themselves, the AFN supports First Nations by coordinating, facilitating, and advocating for policy change. Chiefs, and the First Nations they represent, must be an integral part of meeting the challenge of sustainable, transformative policy change. Mandated by the First Nations-in-Assembly, the AFN has been acting on this responsibility by leading discussions on climate change at the regional, national, and international stage, receiving 12 climate-specific resolutions since 2016.

In July, the First Nations-in-Assembly passed Resolution 36/2023, *Urgent and Transformative Climate Action through the AFN National Climate Strategy*, resolving to:

1. Reaffirm the declaration of a First Nations Climate Emergency, calling for:
 - a. A recognition that the climate crisis constitutes a state of emergency for our lands, waters, air, ice, animals, and Peoples;
 - b. Local, national, and international communities, governments, organizations, and movements to safeguard the inherent, Treaty and constitutionally protected rights of First Nations, respect First Nations knowledge systems, and uphold Treaties and other constructive arrangements between First Nations and the Crown; and
 - c. Federal, provincial, and territorial governments to take urgent and transformative climate action that meets the requirements outlined in the reports by the Intergovernmental Panel on Climate Change and Canada's Changing Climate Report (2019) to reduce emissions in Canada by 60% below 2010 levels by 2030 and reach net-zero emissions by 2050.
2. Fully endorse the Assembly of First Nations (AFN) National Climate Strategy and its seven key priority areas of action:
 - a. Prioritize First Nation Knowledge Systems, health, languages, cultures, and spiritualities.
 - b. Recognize, respect, and position First Nations inherent jurisdiction and inherent right to self-determination as central to decision-making at all levels.
 - c. Address capacity needs to support First Nations governance and their role as climate leaders.
 - d. Ensure First Nations self-sufficiency in food, water, and energy.
 - e. Close the natural and built infrastructure gap.
 - f. Ensure First Nations are equipped to mitigate, prevent, respond, and recover from all emergencies.
 - g. Leverage the First Nations Climate Lens to reform federal, provincial, and territorial legislation, regulation, policy, and programs.



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3. Call on the federal, provincial, and territorial governments to work directly, and in full partnership with, First Nations rights and title holders to implement self-determined First Nations climate priorities, including, but not limited to, those outlined in the AFN National Climate Strategy.
4. Direct the AFN to work with First Nations rights and title holders to advocate with the federal, provincial, and territorial governments for sufficient and sustainable funding to First Nations to implement their own strategies in a manner consistent with Article 39 of the United Nations Declaration on the Rights of Indigenous Peoples.
5. Call on the federal government to compensate First Nations with new or additional land for any land that First Nations may lose due to climate change.
6. Direct the AFN to use the AFN National Climate Strategy in national and international contexts as an advocacy tool, including with the United Nations Framework Convention on Climate Change and the Intergovernmental Panel on Climate Change (IPCC).



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1. Introduction

Global greenhouse gas emissions continue to trend in a dangerous and life-altering direction. Reports by the Intergovernmental Panel on Climate Change (2023), the United Nations Environmental Program (2023), and the United Nations Framework Convention on Climate Change (2022)¹ confirm that it is highly unlikely the 2°C target of the Paris Agreement will be met. Failure to abide by these international agreements is severe: the United Nations Emission Gap (2022) report projects a global annual temperature increase of 2.8°C by 2100.²

In Canada, the situation is urgent. The *Canada in a Changing Climate Report* (2019) identified Canada's climate has warmed by 2.3°C since 1948 and will warm further, on average, at about double the magnitude of warming globally, and at least three times the magnitude in the North. For First Nations Knowledge Keepers, these observations are unsurprisingly, having raised their voice for decades. The Elders' Statement of the Advisory Committee on Climate Action and the Environment (ACE) speaks clearly to this reality and offers a strong call: "...We therefore insist on an immediate end to the destruction and desecration of the sacred elements of life based on the human obligation to care for the Land and for future generations." A growing number of First Nations have declared climate emergencies, including First Nations-in-Assembly through resolutions passed in 2019 and 2023. The First Nations-in-Assembly also endorsed the Assembly of First Nations (AFN) National Climate Strategy (Climate Strategy) in October 2023.

The Climate Strategy, prioritizing First Nations' rights, self-determination, and knowledge systems within all levels of climate action, advances seven priority areas to elevate First Nations Climate Leadership. These priority areas, outlined further in the Climate Strategy, are intended to serve as an enabling document that creates space for First Nations at the local and regional level. This framing laid the foundation for the approach of the 3rd AFN National Climate Gathering hosted in Treaty No. 7 Territory in Calgary, Alberta. The Gathering, under the theme "*Catalyzing First Nations Climate and Conservation Leadership for Transformative Change*," was held from October 7-10, 2024, and was the largest climate gathering hosted by the AFN, with over 1100 registered delegates. First Nations experts, leaders, Elders, Knowledge Keepers, youth, women, 2SLGBTQQIA+ individuals, and professionals working on climate action, discussed the implementation of the Climate Strategy through a range of activities, including diverse panel presentations, workshops, and networking sessions, advocating for a First Nations and heart-centered approach (see Figure 1).

- 1 The IPCC AR6 Synthesis Report (2023) can be found here: <https://www.ipcc.ch/report/sixth-assessment-report-cycle/>. The UNFCCC Synthesis report on Nationally Determined Contributions under the Paris Agreement (2022) can be found here: <https://unfccc.int/documents/619180>. The updated UNEP Adaptation Gap Report (2023) can be found here: <https://www.unep.org/resources/adaptation-gap-report-2023>
- 2 The UN Emissions Gap Report (2022) can be found here: <https://www.unep.org/resources/emissions-gap-report-2022>



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Figure 1: 3rd AFN National Climate Gathering Logo

In order to continue the momentum generated at the National Climate Gathering, we share this position paper in advance of the 29th Conference of the Parties (COP 28) hosted by Azerbaijan, in Baku. Recommendations are grouped into three areas:

- Leverage the First Nations Climate Lens to create space for Indigenous Peoples' governance, rights, and knowledge systems within all areas of the UNFCCC, including the New Collective Quantified Goal.
- Create concrete opportunities for the ethical and equitable engagement of First Nations, including First Nations youth, to demonstrate climate leadership.
- Take urgent and transformative climate action in line with the AFN National Climate Strategy.

We begin with a discussion of the First Nations Climate Lens.



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2. First Nations Climate Lens

Over the last six years, the AFN has been developing the concept of a First Nations Climate Lens (Climate Lens) to illustrate how the experiences and interconnections of First Nations cannot be overlooked when contemplating climate related solutions for (or by) First Nations. Figure 2 shows the Climate Lens, which brings together four concentric circles–Natural Law, Actions, Impacts, and Context–to bring into focus what First Nations climate solutions look like.

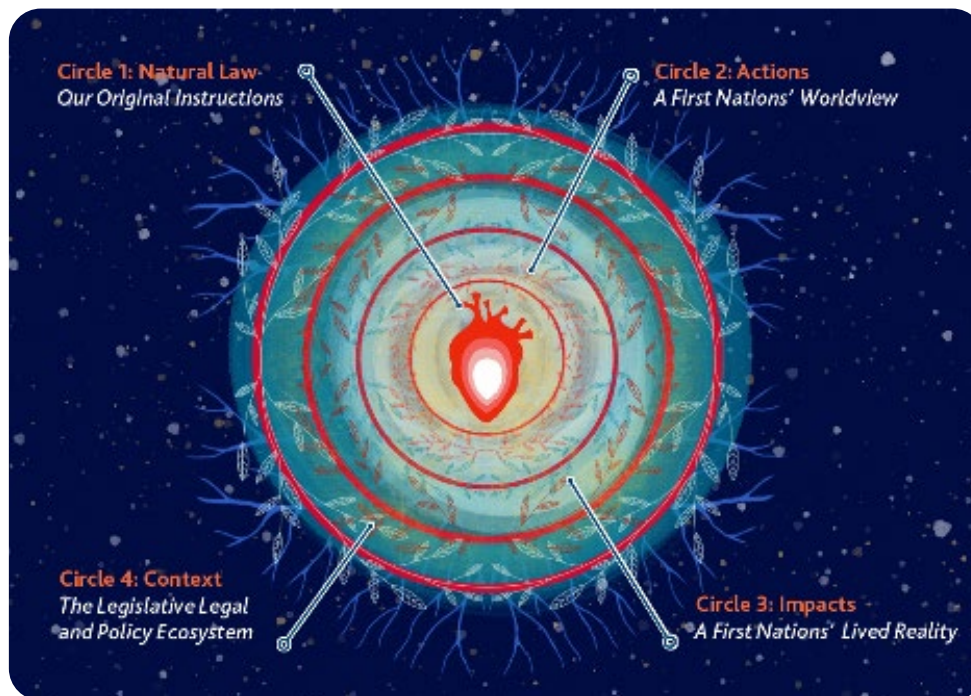


Figure 2: First Nations Climate Lens



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A full description of the Climate Lens is outlined in AFN National Climate Strategy³, however, the four circles represent the following:

Circle 1 – Natural Law: Our Original Instructions: Natural Law is a set of laws that originate directly from the Creator, based in our diverse languages, oral histories, and ceremonies, to govern how we must interact with the Land, Water, and more-than-human relatives to ensure balance and reciprocity.

Circle 2 – Action: A First Nations’ Worldview: First Nations-led solutions are multidimensional, interrelated, interconnected, and grounded in First Nations spiritualities, legal systems, knowledges, languages, and governance. We understand that we are one with the Land and Water.

Circle 3 – Impacts: The First Nations’ Lived Reality: In Canada, climate conversations often disregard the historical legacy of colonization which impacts the lived reality of First Nations today. This must be understood and incorporated into analyses of the distribution and experience of climate-related impacts, which cannot be separated from the broader project of First Nations self-determination and reconciliation.

Circle 4 – Context: The Legislative, Legal and Policy Ecosystem: For First Nations, climate action is a rights – and Inherent responsibilities – based activity to be established, mandated, and implemented within First Nations governance, and working in concert with colonial legislative, legal, and policy contexts at the federal, provincial, territorial, and international level.

2.1. Applying the First Nations Climate Lens to discussions at the UN Framework Convention on Climate Change (UNFCCC) on climate finance

At COP 27, our position paper, [Setting First Nations Expectations for COP 27](#), outlined the implications of the Climate Lens for the understanding and implementation of mitigation and adaptation solutions. We advanced this thinking in our COP 28 Position Paper, [Advancing and Affirming First Nations Climate Leadership at COP 28](#), unpacking the negotiations on the outcome of Global Stock Take (GST). Building on these lessons (summarized in Box 1), we turn our attention to the negotiation, and finalization, of the New Collective Quantified Goal (NCQG). These insights could help amplify and create space for First Nations in the development of climate finance mechanisms that accelerate decarbonization alongside decolonization.

First, decisions made on the process, scope, and quantum of the NCQG, for better or worse, will influence how Indigenous Peoples participate within international climate finance moving forward. The creation of direct windows of access for First Nations, and other Indigenous Peoples from the Global North, is essential

³ For a full description of the First Nations Climate Lens, please refer to the AFN National Climate Strategy found here: <https://afn.ca/environment/national-climate-strategy/>, and refer to a video from the Gathering here: <https://www.youtube.com/watch?v=ICZh6uYTh1E&t=2s>.



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Box 1: An Excerpt from Advancing and Affirming First Nations Climate Leadership at COP 28

The First Nations Climate Lens has important applications to the outcomes of the Global Stocktake:

First, a deeper conversation is lacking in the current GST process and may be detrimental to future stocktaking exercises. A failure to engage in this deeper exercise risks locking in an ontological path of dependency that force's First Nations, and Indigenous Peoples, to 'fit' into mainstream climate solutions. .

Second, this GST must take Parties' obligations to human rights and the rights of Indigenous Peoples seriously. In alignment with the minimum standards of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).

Finally, decisions made on the process and scope of the current GST, for better or for worse, will influence future stocktaking discussions. To this end, 'getting it right' here could help to support the inclusion of First Nations thinking and leadership into the future.

For a full discussion, please refer to the full report: <https://afn.bynder.com/m/91a86f65399249b/original/Advancing-and-Affirming-First-Nations-Climate-Leadership-at-COP-28.pdf>

to ensure access to critical funding for the implementation of First Nations-led climate solutions in areas of mitigation, adaptation, and loss and damage.⁴ To this end, 'getting it right' in the NCQG negotiations would create new windows of direct access, or at minimum enabling text, to be elaborated in direct partnership with First Nations, and Indigenous Peoples from the seven UN socio-cultural regions. This approach will allow First Nations, and other Indigenous Peoples in the Global North, to access new sources of financing to ensure future generations (including the plants, animals, medicines, etc.) have all the benefits and gifts of Mother Earth.

Second, while there is increasing recognition of the distinct role of First Nations, and Indigenous Peoples, and the ethical and equitable engagement of their knowledge systems in the context of international climate finance, there is limited opportunity to substantially consider what this means. Current climate financing that flows within the UNFCCC is an exchange between Annex 1 countries (those predominantly in the Global North) and Annex 2 countries (those predominantly in the Global South), due to the recognition of the disproportionate impacts of climate change on countries in the Global South. These impacts are exacerbated by the structural legacy of colonization, used by colonial governments to control, impoverish, and extract natural resources from countries in the Global South. In a similar fashion, the wealth,

⁴ For more, refer to the report prepared by the UN Permanent Forum on Indigenous Issues member, Hindou Oumarou Ibrahim, entitled Financing the future: the financial needs of Indigenous Peoples to support their actions for biodiversity, climate and the protection of Mother Earth, found here <https://social.desa.un.org/sites/default/files/n2402291EN.pdf>



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development, and economies of countries in the Global North, such as Canada and the United States of America, were built on the structural dispossession of First Nations from their Lands and Waters. Despite these similar colonial experiences, First Nations, and other Indigenous Peoples in Annex 1 countries, are structurally excluded from climate financing regimes under the UNFCCC. An application of the Climate Lens shows us that the experiences of colonized Nations are similar and require an additional layer of analysis in climate financing regimes.

Finally, the NCQG must take Parties' obligations to human rights and the rights of Indigenous Peoples seriously. In alignment with the minimum standards of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), a document referenced in several UNFCCC decisions, proposed climate financing cannot be separated from the required implementation of those minimum standards. For instance, an over-investment in the development of technological and market-based solutions without a critical investigation of the inequitable and structurally racist ways that these solutions interact with First Nations-lived realities, will further harm First Nations and may contribute to a new form of climate colonialism.⁵ This is particularly acute in the context of investments in forestry, agriculture, and other nature-based solutions, where discussions have largely neglected the presence of First Nations and their jurisdiction, rights, and legal systems.

3. Key Priority Areas for COP 29

The application of the Climate Lens brings into focus the issues and conversations required to uplift First Nations climate solutions and support the reframing of the climate conversation toward more transformative and systemic changes. Based on this, we propose three areas of recommendations for COP 29 in Baku, Azerbaijan.

3.1. Leverage the First Nations Climate Lens to create space for Indigenous Peoples' governance, rights, and knowledge systems within all areas of the UNFCCC, including the New Collective Quantified Goal.

The Climate Lens advocates for a fundamental reframing of the climate discourse. It proposes a transition away from the overemphasis on 'technological solutions' and 'market-based mechanisms' towards a framing that emphasizes the centrality of First Nations' rights, self-determination, and knowledge systems. A critical and decolonizing lens is essential for equitable, immediate, and transformative action built on solutions that are wholistic, multi-dimensional, and interconnected. By recognizing the diversity of First Nations, the Climate Lens promotes a rights and responsibilities-based approach to climate action that reiterates the importance of 'place-based' policy, led by local and regional First Nations. As such, we strongly recommend the following:

5 A report, *Correcting Canada's "one eye shut" climate policy*, uses Government of Canada data (drawn from the Canadian Energy Regulator) to show that more oil and gas is expected to be produced in 2050 than in 2019—the oil and gas sector in Canada will still be emitting some 200 megatonnes of CO₂ equivalent in 2050. This raises an important area of concern for Canadian climate policy.



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- 3.1.1. *Strong safeguards for human rights and the rights of Indigenous Peoples, including those re-affirmed in the UN Declaration, are embedded in operative text concerning Article 6, the New Collective Quantified Goal, Just Transition Workplan, and other relevant negotiations.*
- 3.1.2. *Review all discussions through the First Nations Climate Lens, considering the minimum standards of the UN Declaration, First Nations Inherent and Treaty rights, the principles of intergenerational equity, justice, and decolonization, and Seven Generations thinking⁶.*
- 3.1.3. *Provide First Nations, and other Indigenous Peoples in the Global North, direct access to funds from the New Collective Quantified Goal through their own representative institutions.*
- 3.1.4. *Ensure the Annual Knowledge Holders Gathering and Youth Knowledge Keeper Roundtable, hosted by the Facilitative Working Group, are given appropriate prominence and recognition, ensuring that the messages and recommendations from these representatives are shared and implemented by all Parties to the UNFCCC, including in discussions on mitigation, loss and damage, and adaptation.*

3.2. Create concrete opportunities for the ethical and equitable engagement of First Nations, including First Nations youth, to demonstrate climate leadership.

The introduction of the AFN National Climate Strategy, building on the lessons from the Yukon First Nations Climate Action Fellowship and the BC First Nations Climate Strategy and Action Plan⁷, offer new opportunities to uplift First Nations' knowledge systems, rights, and self-determination within all levels of climate action, and create space for First Nations to communicate their solutions and priorities. The messages shared in the 3rd National Climate Gathering by First Nations must be given appropriate space within international climate policy and governance discussions to advance their self-determined climate strategies and priorities. This includes the appropriate safeguards to differentiate the distinct status and rights of First Nations, and those uncertain rights of local communities. As such, we strongly recommend the following:

- 3.2.1. *Fully implement the [AFN's Position Paper on the Terminology "Indigenous Peoples and local communities"](#) to immediately stop the practice of combining Indigenous Peoples and the term 'local communities' and reaffirm the distinct status and rights of First Nations, in all UNFCCC*

6 Seven Generation Thinking – refers to a process of decision-making that contemplates the impacts of decision and actions seven generations from now. It is attributed to the Great Law of the Haudenosaunee Confederacy and is a tenet practiced by many First Nations, definition from AFN's National Climate Strategy: <https://afn.bynder.com/m/77556e1d9da51db7/original/2023-Climate-Strategy-Report.pdf>.

7 For instance, the Government of Canada, British Columbia, and the First Nations Leadership Council recently signed the first-of-its-kind tripartite Framework Agreement to protect and conserve biodiversity, habitats, and species at risk in the province. More can be found here: <https://www.canada.ca/en/environment-climate-change/news/2023/11/government-of-canada-british-columbia-and-the-first-nations-leadership-council-sign-a-historic-tripartite-nature-conservation-framework-agreement.html>



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documents and decisions.

- 3.2.2. *Urge Parties to quickly endorse the draft three-year workplan of the Local Communities Indigenous Peoples Platform (LCIPP) and provide stable and ongoing resources to support the full implementation of the outlined activities.*
- 3.2.3. *Urge Parties to work in partnership with First Nations and other Indigenous Peoples, including Indigenous representatives from the Facilitative Working Group, to develop a decision that updates the name of the LCIPP to the "Indigenous Peoples Platform" to affirm our unique status and inherent rights, equal participation, and knowledge systems.*
- 3.2.4. *All levels of government, including the UNFCCC, must work directly, and in full partnership with First Nations rights- and title-holders, to implement self-determined First Nations climate priorities, including, but not limited to, those outlined in the AFN National Climate Strategy.*
- 3.2.5. *Provide sufficient and sustainable funding to First Nations to implement their own strategies, including participating in the UNFCCC, in a manner consistent with Article 39 of the UN Declaration.*

3.3. Take urgent and transformative climate action in line with the AFN National Climate Strategy.

First Nations-in-Assembly have been clear in their expectations for Canada, and by extension all Parties to the UNFCCC, on their required emission reduction targets, calling for: "...urgent and transformative climate action that reduces emissions in Canada by 60 percent below 2010 levels by 2030, and to reach net-zero emissions by 2050." Parties have not been fully responsive to this call, as, even with new action by governments. The current emission reduction pledges from nearly 200 Parties to the Paris Agreement will increase emissions rather than provide the rapid, deep, and immediate emission reductions called for by the IPCC. As such, we strongly recommend the following:

- 3.3.1. *All Parties must update their Nationally Determined Contributions (NDCs) in line with the First Nations-in-Assembly Declaration of a First Nations Climate Emergency to keep global warming below 1.5°C.*
- 3.3.2. *Develop clear operational guidance for the UNFCCC to engage First Nations knowledge systems ethically and equitably in all elements of discussion to inform the conceptualization of the drivers of the climate crisis, emission reduction targets, adaptation, loss and damage, and other climate solutions.*



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4. Conclusion

The magnitude of this challenge requires a transformational shift in the approach that Canada and the world take to address the climate crisis. Current approaches are failing, as both emissions and inequality continue to rise exponentially. This document identifies key recommendations to uplift First Nations Climate Leadership, as well as some applications of the Climate Lens to the New Collective Quantified Goal. Combined, the application of this Climate Lens must enable more meaningful conversations about how First Nations' solutions can reframe the conversation and lead to transformative systemic change within the UNFCCC, and beyond.