



ASSEMBLY OF FIRST NATIONS
Special Chiefs Assembly

December 5-7, 2023

Shaw Centre – Ottawa, Ontario

Ottawa is located on the unceded unsundered Territory of the Algonquin People.

ASSEMBLÉE DES PREMIÈRES NATIONS
Assemblée extraordinaire des Chefs

Du 5 au 7 décembre 2023 - Centre Shaw - Ottawa (Ontario)

Ottawa est située sur le territoire non cédé et non abandonné du peuple algonquin.



Water Stewardship

History

Water *is* life that connects us all to Mother Earth. As First Nations, our rights and responsibilities to protect water for present and future generations are demonstrated through the unique and reciprocal relationships with our lands, territories, and all living beings. First Nations women have a sacred relationship with water as water protectors and caretakers. The understanding that healthy ecosystems, relationships, and communities are all interconnected is foundational in First Nations' knowledge, decision-making, and laws. First Nations' abilities to steward, exercise their Inherent and Treaty rights, and maintain healthy relationships are increasingly threatened by climate change and other human-induced threats. Water must be protected.

AFN's recent advocacy

It is the AFN's responsibility to support First Nations stewardship and conservation, both freshwater and marine, in a manner that upholds and respects First Nations rights, title, and jurisdiction, and to advocate for the inclusion of First Nations women, youth, and gender-diverse people in decisions about water, as reflected by their traditional roles and responsibilities. Mandated by First Nations-in-Assembly, the Water Sector advances marine conservation and biodiversity, sustainable development, and freshwater protection.

MARINE CONSERVATION

AND BIODIVERSITY

The AFN continues to facilitate discussions between the AFN's Marine Indigenous Protected and Conserved Areas (IPCA) Sub-working Group, the Department of Fisheries and Oceans, Environment and Climate Change Canada, and the Parks Canada Agency to discuss pathways to implement the recommendations in the AFN's report on how the Government of Canada can support First Nations to establish marine IPCAs. These discussions have included ensuring First Nations priorities are reflected in Canada's updates to related legislation, regulations, policies, and programs.

In September 2023, the AFN provided initial feedback on the Parks Canada Agency's proposed National Marine Conservation Area (NMCA) regulations, emphasizing the need to respect First Nations rights, provide flexible, collaborative governance opportunities, and maintain the ability for First Nations to steward, harvest, and benefit from their territories. The AFN continues to work with the Marine IPCA Sub-working Group with the guidance of the Advisory Committee on Climate Action and the Environment (ACE).

Future work will focus on developing capacity-building tools, communications, and outreach materials to facilitate the sharing and coordination of information to support First Nations in stewarding their marine waters.



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SUSTAINABLE DEVELOPMENT GOALS

As the Government of Canada carries out its commitment to the United Nations 2030 Agenda for Sustainable Development, work is focused on advocating for a First Nations pathway to achieving the 17 Sustainable Development Goals (SDGs). Canada must ensure that no First Nations are left behind when working towards the SDGs, which include equality, and economic and environmental sustainability. In July 2023, AFN delegates attended the United Nations High-Level Political Forum on Sustainable Development (HLPF) where member nations, including Canada, presented their progress on SDG implementation. The AFN delegation met with then-Minister of Economic and Social Development Canada (ES,DC) Karina Gould, to discuss First Nations priorities, interests, and critical issues related to SDGs.

In September 2023, the AFN delegation attended the SDG Summit where member states negotiated and ratified a political declaration to accelerate the implementation of the SDGs and the 2030 Agenda. AFN representatives emphasized the need for further inclusion of Indigenous Peoples in the political declaration and the need for Canada's engagement with First Nations in the next set of SDGs, given the lack of engagement with First Nations in the initial development of the 2030 Agenda.

Moving forward, the AFN will continue to push for a whole-of-government approach that ensures First Nations are active participants in SDG implementation and reporting. This includes advocating for greater funding to support First Nations-led SDG initiatives and First Nations participation in international and national SDG discussions, including through the Indigenous Peoples Major Group on Sustainable Development.

MARINE AND FRESHWATER PROTECTION

The AFN continues to support First Nations in protecting water by advocating for the respect of First Nations' Inherent and Treaty rights where industrial activities may impact surface and groundwater.

To that end, the AFN is working to ensure that the Nuclear Waste Management Organization (NWMO) is open and transparent in its communications with First Nations as it selects a site for a deep geological repository (DGR) for the permanent storage of high-level radioactive waste in the form of used nuclear fuel. The AFN will be hosting a series of regional engagements in the Spring of 2024 and will develop communication materials to improve information-sharing on the DGR site selection process, transportation, and the storage of nuclear waste.

The Government of Canada is expected to introduce legislation to establish the Canada Water Agency (CWA) as a stand-alone agency later this year. The CWA legislation is expected to be administrative in form. CWA officials and the AFN have been meeting to discuss the concerns articulated by the First Nations-in-Assembly in Resolution 53/2023, *First Nations-led Process for National Water Stewardship and the Canada Water Agency*,



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regarding the CWA, to find a way forward through future engagement and co-development opportunities that affirm the rights of First Nations to steward, use, and govern water.

Where do we hope to go in the future?

Over the next year, the AFN will continue to advocate for improved First Nations control in decision-making; Indigenous-led conservation supports; long-term sustainable funding; and holistic, distinctions-based, and whole-of-government approaches related to marine and freshwater. We also remain steadfast in calling on Canada to apply a gender-responsive approach to all work related to water; this will be especially important as the Government of Canada moves forward to establish the new CWA, modernize the Canada Water Act, and implement a renewed Freshwater Action Plan. We will work with other sectors, under the guidance of relevant Chiefs' Committees, to ensure that First Nations' rights and priorities related to water are respected, including through the creation of a national First Nations-led water stewardship task force.

Working closely with other sectors, the AFN will advocate for effective implementation of the new biodiversity targets and goals in the GBF at home. To halt and reverse biodiversity loss by 2030, a whole-of-government approach to Canada's biodiversity strategy that reflects First Nations Inherent rights and responsibilities to lands and waters is needed. The AFN will continue to discuss its Marine IPCA report with federal agencies to identify pathways to implement the report's recommendations. The AFN will also continue to support First Nations to advance marine IPCAs by developing support tools, exploring legal mechanism opportunities, participating in legal federal processes, advocating for long-term sustainable funding, building IPCA awareness, and collaborating with the relevant federal government departments.

The AFN will continue to advocate for a distinctions-based approach to the SDGs, calling on the federal government to co-develop a First Nations-led pathway to achieving the SDGs and to ensure the active partnership of First Nations in the development of the future post-2030 SDGs.

Lastly, the AFN will work with relevant sectors, technical committees, leadership, and federal agencies, to implement AFN Resolution 50/2023, Addressing Impacts from Mining Activities, to ensure that all mining and mineral extraction projects taking place on First Nations lands and waters respect Inherent rights and that the negative effects of industrial activities are fully addressed.