



Assembly of First Nations (AFN)

# National Virtual Forum on the *Building Canada Act* Forum Summary

*This summary discusses the proceedings and outcomes of the National Virtual Forum on the Building Canada Act hosted by the Assembly of First Nations (AFN) on June 16, 2025, which was based on a draft version of Bill C-5 as of June 16, 2025. On June 19, 2025, the draft version of Bill C-5 was amended to remove the Indian Act. On June 26, 2025, Bill C-5 was approved by Senate, receiving Royal Assent.*

## 1. Who is the Assembly of First Nations?

The Assembly of First Nations (AFN) is a national advocacy organization that works to advance the collective aspirations of First Nations individuals and communities across Canada on matters of national or international nature and concern.

## 2. Virtual Forum Topic, Objective, and Agenda Summary

On June 16, 2025, the AFN held the National Virtual Forum on Bill C-5, *An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act* (short title: 'One Canadian Economy Act'). Chiefs, Proxies, Council Members, Regional Chiefs, and technicians gathered to hear policy, legal, and political perspectives, share concerns, and engage in dialogue about the impacts and implications of Bill C-5 for First Nations.

Bill C-5, One Canadian Economy Act, contains two parts; part 1 is titled Free Trade and Labour Mobility in Canada Act, and part 2 is titled the Building Canada Act. The purpose of the Bill is to legislate a framework to (1) improve interprovincial labour and trade mobility, and (2) streamline mechanisms to approve major projects deemed to be in the interest of Canada's economy, sovereignty and security.<sup>1</sup>

## 3. Panel Presentations and Dialogue Summary

### 3.1. Part I – Technical Panel

Participants in the virtual forum heard from: Dr. Graeme Reed, AFN Strategic Advisor (Environment, Lands, and Water); Drew Lafond, President, Indigenous Bar Association; Merle Alexander, BCAFN Legal Advisor; and, Mark Podlasky, CEO, First Nations Major Projects Coalition.

Panelists provided technical and legal perspectives on Bill C-5 focusing on significant procedural and substantive concerns including absence of Crown consultation with First Nations. They outlined a range of issues including:

- The legal, regulatory and environmental implications of overriding existing laws to declare major projects as within 'national interest'.

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<sup>1</sup> Bill C-5 describes major projects deemed to be in "national interest" are those purported to strengthen Canada's economy, resilience and security by providing economic or other benefits to Canada and advance the interests of Indigenous peoples. These projects will have to demonstrate a high likelihood of successful execution and meet Canada's objectives with respect to climate change. Section 4(1) of Bill C-5 provides that the Governor in Council may define the term 'national interest'.



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- The existing laws and regulations exempted from inclusion and consideration in projects of 'national interest' include the *Indian Act* and key environmental legislation.
- How Bill C-5 conflicts with the legal standard of free, prior, and informed consent (FPIC) and the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA).

The panel emphasized that First Nations involvement is not "red tape" to overcome in major project development, but an overall benefit to the long-term success of major project so long as First Nations are included as equal partners from the start.

## ***Discussion Summary***

Following the presentations from the technical panel, First Nations leadership engaged in dialogue, posed questions, and shared ideas for ensuring that First Nations' concerns about Bill C-5 were heard. Much of the discussion focused on the lack of consultation with First Nations in developing Bill C-5 and the violation of First Nations inherent and constitutional rights. Some questioned whether this legislation quashed Treaty rights and sought to municipalize First Nations. Others expressed frustration the depletion of natural resources on First Nations lands as the main approach to economic development.

Leadership explored avenues for intervening in the legislative process, legal options, activism, and political pressure. First Nations leadership with experience in working on major projects offered perspectives and advice that affirmed that First Nations involvement in development does not equate "red tape" and only improves outcomes by all measures. Discussions focused the conflict that Bill C-5 creates for First Nations' rights and provincial/territorial and federal legislation designed to implement the United Nations Declaration on the Rights of Indigenous Peoples. First Nations leadership recognized the urgent need to organize to oppose Bill C-5 on the basis non-consultation and potential to unjustly infringe on First Nations' rights.

## ***3.2. Part II – Political Panel***

The political panel included: BC Regional Chief Terry Teegee; The Honourable Jody Wilson-Raybould, PC, QC, MP; and former AFN National Chief Ovide Mercredi.

The panelists shared a common perspective that Bill C-5 represents a significant step backward in the relationship between the Crown and First Nations. They questioned whether the underlying rationale of Bill C-5 is that First Nations involvement in major projects creates delays and uncertainty. However, the panelists countered that rationale by pointing out that governments have done too little to properly implement mechanisms to ensure First Nations' rights are upheld. The panelists emphasized that the concept of "national interest" must include the rights of First Nations as original stewards of the land and resources.



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Recommendations from the panelists included leveraging the political gains that First Nations have made over the last decade to act on Bill C-5 by:

- Calling on the government to pause the legislative process and consult with First Nations.
- Exploring legal avenues.
- Contacting Members of Parliament to remind them that Canada cannot build a single economy without First Nations, and of their duty to uphold the honour of the crown.

## *Discussion Summary*

First Nations leadership encouraged each other to make opposing Bill C-5 the highest priority, raising concern for a new precedent for Canada to continue to infringe on First Nations sovereignty and rights. Some discussed strategies to delay or amend the Bill, as well as ways to respond collectively if the Bill proceeds, including legal action, the creation First Nations economic corridors, and expansion of First Nations governance models. Throughout the dialogue, participants emphasized that First Nations are not opposed to development or partnerships on major projects but expect to be full partners in decisions and legislation that affect their lands, waters, and Treaty rights, both now and for future generations.

## **4. Conclusion**

The AFN National Virtual Forum on Bill C-5 was an opportunity for Chiefs, Proxies, Council Members, and Regional Chiefs to gather information about the proposed legislation, voice their concerns and share ideas to intervene and oppose the Bill. Consensus was built around a shared message that First Nations support development but want an equal seat at the table to ensure that First Nations' rights are protected and priorities are advanced from the outset.

Immediately following the National Virtual Forum, National Chief Cindy Woodhouse Nepinak addressed the Senate Committee of the Whole studying the Bill, where she shared the concerns of First Nations and advocated for stronger consultation on the proposed legislation. In the days following the Forum, First Nations continued their strong advocacy, resulting in some amendments to the Bill, including the removal of the Indian Act from the list of legislation to be exempted from the national interest projects process. However, First Nations have made it clear that amendments are not enough and more work needs to be done to ensure that one Canadian economy includes First Nations as equal partners.

The AFN will hold a second National Virtual Forum on Bill C-5 on July 10, 2025. See here for more details: [AFN National Virtual Forum on the Amended Bill C-5, One Canadian Economy](#).