



ASSEMBLY OF FIRST NATIONS



Advancing and Affirming First Nations Climate Leadership at COP 28 2023



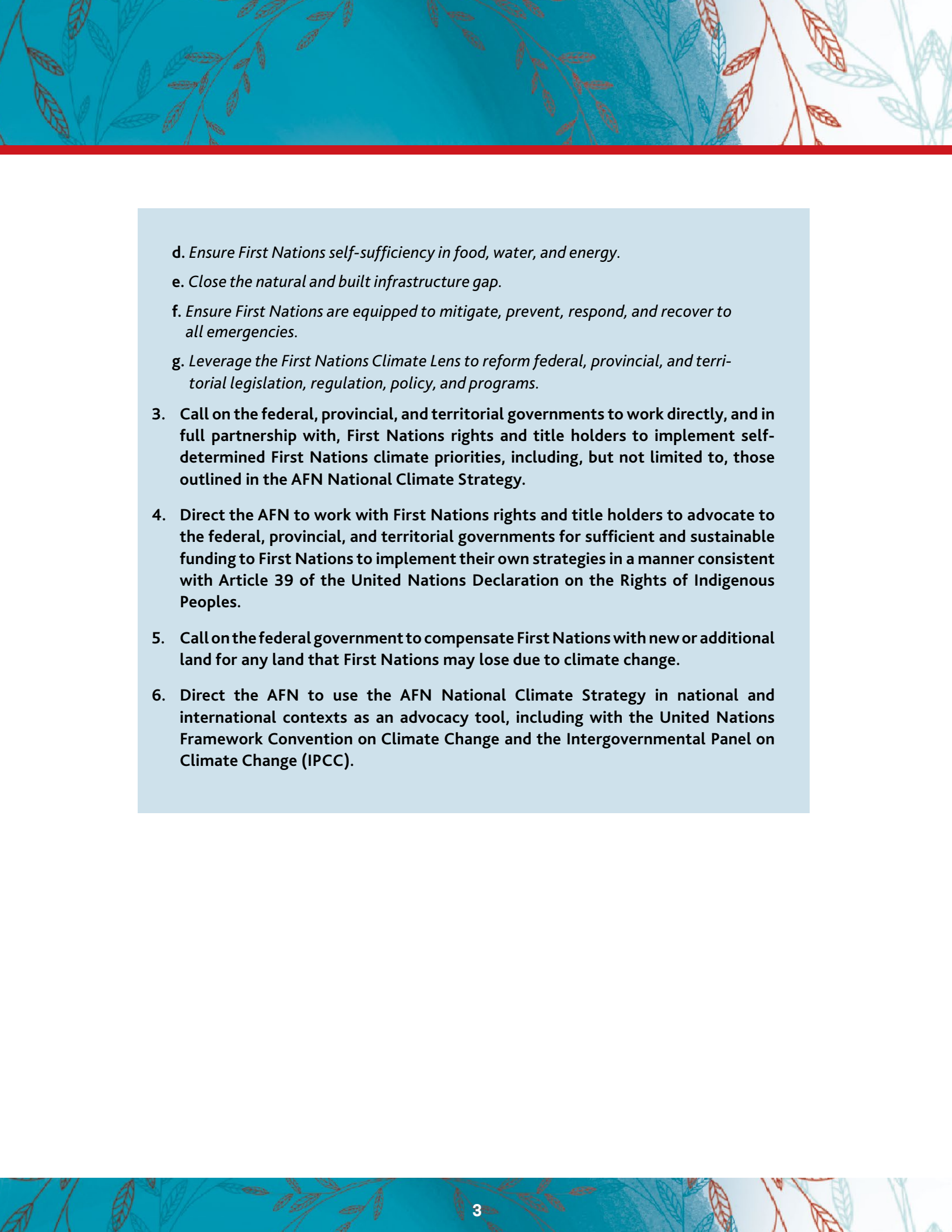
Assembly of First Nations

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.*

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- 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 to all emergencies.*
 - g. Leverage the First Nations Climate Lens to reform federal, provincial, and territorial legislation, regulation, policy, and programs.*
- 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 to 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).**

1. Introduction

Global greenhouse gas emissions are increasing in a dangerous 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. Irreversible warming trends were confirmed by the Canada in a Changing Climate Report (2019). This report identified that 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. These projections are unsurprising, as First Nations' Knowledge Keepers have continued to raise their voice for decades to share concerns about the changes they are observing. 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."*

In response to these observations, a growing number of First Nations have declared climate emergencies. In July 2023, the First Nations-in-Assembly reaffirmed the declaration of a First Nations Climate Emergency, recognizing that *"...climate change constitutes a state of emergency for our lands, waters, air, ice, animals, and Peoples"* and endorsed the Assembly of First Nations (AFN) National Climate Strategy ('Climate Strategy'). The Climate Strategy was publicly released on October 18 by Interim National Chief Joanna Bernard, AFN Quebec-Labrador Regional Chief Ghislain Picard, and Nokomis Roberta Oshkabewisen.³

The Climate Strategy aims to prioritize First Nations' rights, self-determination, and knowledge systems within federal, provincial, and territorial climate action; promote First Nations solutions to the climate crisis, grounded in their inherent rights, self-determination, and traditional knowledge systems; and call for urgent and transformative climate action in line with the First Nations-in-Assembly Declaration of a First Nations Climate Emergency. The Climate Strategy advances seven priority areas to elevate First Nations Climate Leadership, summarized in Figure 1. Each priority area coincides with a goal, series of objectives, and a list of strategies and actions. These are not intended to be a comprehensive review of all First Nations priorities related to climate change. Instead, the Climate Strategy is intended to be an enabling document that creates space for First Nations at the local and regional level to advance their self-determined climate strategies and priorities.

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>

3 For more about the Launch, refer to the Press Release found here: <https://afn.ca/all-news/press-releases/assembly-of-first-nations-afn-formally-launches-its-transformative-national-climate-strategy/>



Figure 1. AFN National Climate Strategy Seven Priority Areas.

In order to uplift the rights, knowledge systems, and self-determination of First Nations, we share this position paper in advance of the 28th Conference of the Parties (COP 28) hosted by the United Arab Emirates (UAE) in Dubai. Recommendations are grouped into three areas:

- Take urgent and transformative climate action in line with the AFN National Climate Strategy.
- Leverage the First Nations Climate Lens to create space for Indigenous Peoples’ governance, rights, and knowledge systems within all areas of the United Nations Framework Convention on Climate Change (UNFCCC), including national and sub-national climate action.
- Create concrete opportunities for the ethical and equitable engagement of First Nations, including First Nations youth, to demonstrate climate leadership.

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

2. First Nations Climate Lens

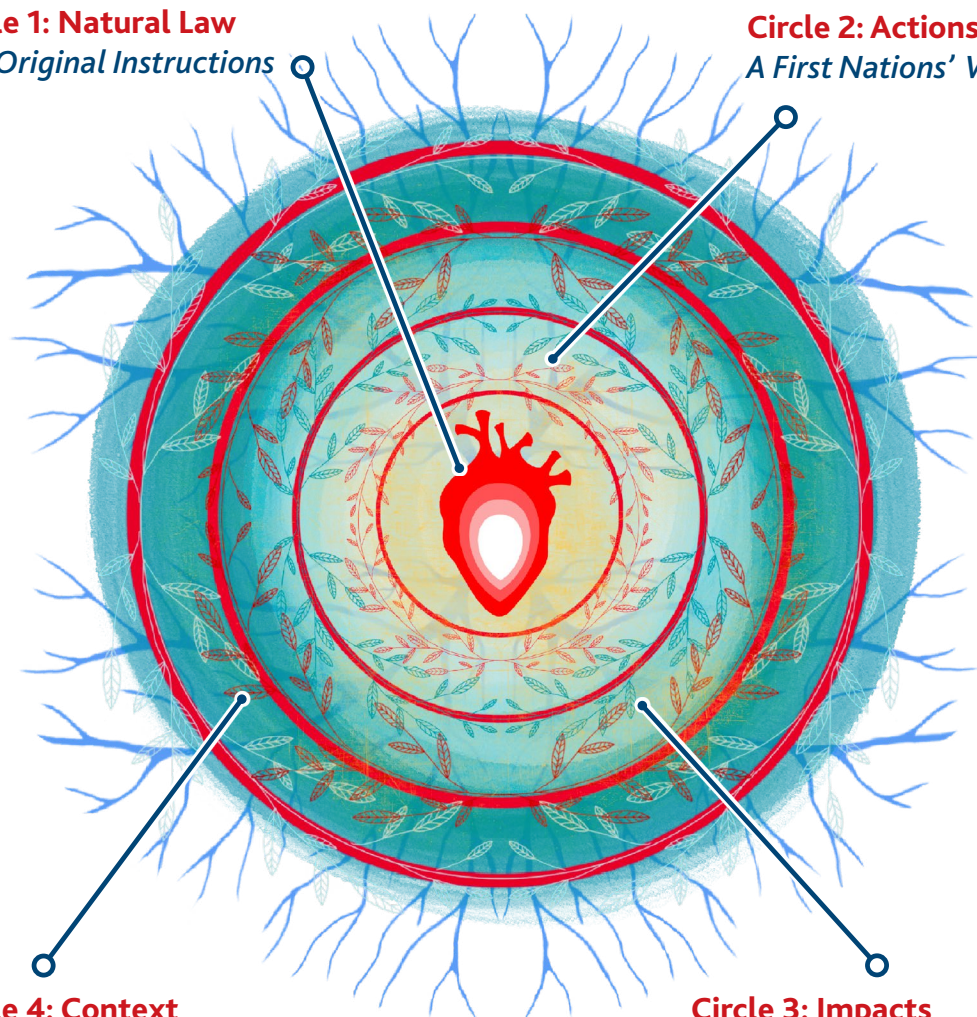
Over the last five years, the AFN has been developing the concept of a First Nations Climate Lens ('Climate Lens') to illustrate how the experiences and interconnections of First Nations cannot be overlooked when contemplating climate related solutions for (or by) First Nations. Figure 2 shows the Climate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

Circle 1: Natural Law

Our Original Instructions

Circle 2: Actions

A First Nations' Worldview



Circle 4: Context

The Legislative Legal and Policy Ecosystem

Circle 3: Impacts

A First Nations' Lived Reality

Figure 2. First Nations Climate Lens: Eruoma Awashish prepared this image. Eruoma is an Atikamekw Nehirowisiw mother and artist who is committed to her nation. She works in a variety of mediums, including painting, installation, performance, video, silkscreening and traditional dance. Awashish grew up in the community of Opitciwan. She is now established in Pekuakami (Lac-Saint-Jean), and her studio is located in the Innu community of Mashteuiatsh. She holds an interdisciplinary Bachelor of Arts from the University of Quebec at Chicoutimi.

A full description of the Climate Lens is outlined in AFN's National Climate Strategy⁴, 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 governances. 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

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. Building on these lessons (summarized in Box 1), we turn our attention to the negotiations on the outcome of Global Stock Take (GST): a process where Parties can determine whether, or not, they are collectively making progress toward meeting the goals of the Paris Agreement. In the context of the GST, a key outcome for the UAE Presidency and for the UNFCCC, the Climate Lens brings useful insights to the process and scope of future stocktaking processes. These insights could help to amplify and create space for First Nations and aid in the development of solutions that advance both decarbonization and decolonization.

First, while there is increasing recognition of the distinct role of Indigenous Peoples, and the ethical and equitable engagement of their knowledge systems in the context of global climate action, there is limited opportunity in this process to substantially consider what this would mean. For example, based on an understanding grounded in First Nations knowledge systems that we are 'one with the Land and Water'—rather than compartmentalized units apart from nature—all

⁴ 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=ICZh6uY-Th1E&t=2s>.

discussions would need to center on the reciprocal relationships that embody our global ecosystem. Such an approach recognizes that First Nations knowledge systems, while unique to each individual First Nation, problematize the drivers of the climate crisis differently than mainstream systems. Put another way, a more meaningful application of the Climate Lens would begin with establishing a shared understanding of what is driving the climate crisis, and based on that shared understanding, determine appropriate actions. This 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), a document referenced in several UNFCCC decisions, solutions proposed for the specific sectors of emissions reductions (i.e., built environment, electricity, industry, oil and gas, transportation, forestry, agriculture, and waste) cannot be separated from the required implementation of those minimum standards. For instance, an over-reliance on 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 forestry, agriculture, and other nature-based solutions, where discussions have largely neglected the presence of First Nations and their jurisdiction, rights, and legal systems. Solutions for these sectors cannot disregard their role in advancing decolonization.

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. In this way, for example, the GST could internalize the tenets of Seven Generation thinking⁶ to guide how it is prepared and how an appropriate amount of space is created to ensure future and ongoing discussions that inform all accountability mechanisms. A Seven Generation decision-making model requires comprehensive critical thought on balancing benefits in the present with those for future generations. Together, we must ensure these future generations (including the plants, animals, medicines, etc.) have all the benefits and gifts of Mother Earth – such as clean water, a stable food supply, and a livable environment – so that they too can live a rich and meaningful life. All proposed activities in the specific sectors of emission reductions must be explored through this lens, especially those that are predicated on further resource extraction.

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.

6 Seven Generations Principle is attributed to the Great Law of the Iroquois Confederacy and is a tenet practiced by many First Nations.

Box 1: An Excerpt from [Setting First Nations Expectations for COP 27](#)

The First Nations Climate Lens has important applications to the understanding of mitigation and adaptation within the UN Framework Convention on Climate Change. Two examples include:

First, given the growing commitments on net-zero, net-zero must not be interpreted as an end goal, rather, it must be conceptualized as a process leading to a just, equitable, and resilient future for our future generations, founded on First Nation's right to self-determination, uplifting their leadership and authority. This future requires maintaining a 'net-zero' world.

Second, that a First Nations approach will confront the conventional "mitigation-adaptation" dichotomy – the separation between discussions on mitigation or adaptation action – rampant in international and domestic climate perspectives. Given the interconnections between the sectors and systems upon which First Nations rely, this false dichotomy must be challenged to enable an acknowledgement of holistic, integrated, and systems-based solutions that must address the existential threat that is climate change.

Please refer to the full report for a more detailed discussion.

3. Key Priority Areas for COP 28

These applications of the Climate Lens bring into focus the issues and conversations required to uplift First Nations climate solutions and support the re-framing of the climate conversation towards more transformative and systemic changes. Based on these, we propose three areas of recommendations for COP 28 in Dubai, UAE.

3.1. 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 the near two hundred Parties to the Paris Agreement will increase emissions by 10.6% in 2030, rather than provide the rapid, deep, and immediate emission reductions called for by the IPCC. COP 28 must translate these discussions into concrete action that is grounded in First Nations rights, knowledge systems, and self-determination. As such, we strongly recommend the following:

3.1.1. 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.

3.1.2. A strong call to Parties to ensure that the outcome of the GST reflects First Nations calls for urgent and transformative climate action that respects their rights, knowledge systems, and self-determination.

3.1.3. Develop clear operational guidance for the UNFCCC to engage First Nations knowledge systems ethically and equitably in all elements of discussion, including the GST, to inform the conceptualization of the drivers of the climate crisis, emission reduction targets, adaptation, loss and damage, and other climate solutions.

3.2. Leverage the First Nations Climate Lens to create space for Indigenous Peoples' governance, rights, and knowledge systems within all areas of the UN Framework Convention on Climate Change (UNFCCC), including national and sub-national climate action.

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 to expose the interrelationship between the three 'Cs': colonialism, capitalism, and carbon. 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 stresses 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:

3.2.1. Strong safeguards for human rights and the rights of Indigenous Peoples, including those affirmed in the UN Declaration, are embedded in operative text concerning Article 6, the Global Goal on Adaptation, Loss and Damage, the GST, and other relevant negotiations.

3.2.2. Review all discussions on adaptation (Global Goal on Adaptation), Loss and Damage, and mitigation through the First Nations Climate Lens, considering the minimum standards of the UN Declaration, First Nations Inherent rights, the principles of intergenerational equity, justice and decolonization, and Seven Generations thinking.

3.2.3. First Nations, and other Indigenous Peoples in the Global North, must be provided direct access to funds from the Loss and Damage Finance Facility through their own representative institutions.

3.2.4. Uplift First Nations' understandings of health and well-being in any discussions on health and climate action, and commit to stable, adequate, and long-term funding for First Nations to implement climate crisis and health-related programs that integrate culture, knowledge, spirituality, language, and community support.

3.2.5. Ensure the Annual Knowledge Holders Gathering and Youth 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.

3.2.6. Empower Indigenous Peoples to develop an ethical protocol on Indigenous knowledge systems to ensure the ethical and equitable use of First Nations knowledge systems in all UNFCCC processes and support First Nation Knowledge Keepers to serve as substantive authors and contributors to this ethical protocol.

3.2.7. Advocate that the seventh IPCC assessment process reflects the recommendations from the UN Permanent Forum on Indigenous Issues (2023) to support Indigenous academics, scientists, and traditional knowledge holders in the development of a special report assessing the opportunities for and threats against Indigenous Peoples in the areas of adaptation, mitigation, and loss and damage.


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

Until recently, the most dominant response for addressing climate change impacts in the lives of First Nations has been their participation in other government-led processes, whether accords, plans, policies, or strategies at the federal, provincial, territorial, or international level. The onus has been put on First Nations to adapt their knowledge systems and rights, as well as comprise their self-determination, to these other policy structures. 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. First Nations at the local and regional level must be given appropriate space within international climate policy and governance discussions to advance their self-determined climate strategies and priorities, including those outlined in the seven priority areas in Figure 1. As such, we strongly recommend the following:

3.3.1. 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.

3.3.2. 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.

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>



3.3.3. Reaffirm the distinct status and rights of First Nations, affirmed in within the UN Declaration, in all discussions at the UNFCCC in order to prevent the attribution of First Nations rights, knowledge systems and self-determination with those uncertain rights of local communities.

3.3.4. An immediate stop to combining Indigenous Peoples and local communities in all UNFCCC documents and decisions and urge Parties to work in partnership with Indigenous Peoples to develop a COP 29 decision that updates the name of the LCIPP to the “Indigenous Peoples Platform” to affirm Indigenous Peoples’ unique status and inherent rights, equal participation, and knowledge systems.

4. Conclusion

The magnitude of this challenge will require a transformational shift in the approach that Canada and the world take to address the climate crisis. Current approaches are failing, as emissions and inequality are rising exponentially. This document identifies key recommendations to uplift First Nations Climate Leadership, as well as some applications of the Climate Lens to the Global Stock Take. Combined, this application of the Climate Lens to the UNFCCC must enable more meaningful conversations about how First Nations’ solutions can re-frame the conversation and lead to transformative systemic change.

