

# **One Canadian Economy Act: Reconciliation in Reverse**

**Terry Teegee, BCAFN Regional Chief**

**AFN Virtual Chiefs on Bill C-5 – July 10, 2025**



**British Columbia  
Assembly of First Nations**

# Reconciliation in Reverse

- Brutal truth: **Bill C-5 is reconciliation in reverse**
- Canada to use National Interest as a reason to justifiably infringe our Aboriginal and Treaty Rights
  - By rigging the parliamentary process with false **existential threats** of the US Tariffs and fear-mongering the general public;
  - By creating **symbolic deadlines** for Canada Day so the Bill could not be amended by House or Senate (just like Trump did for the big beautiful bill for July 4);
  - By surrounding himself with Indigenous Parliamentarians, while the mechanism to undermine their own Rights is at stake;
  - With the PM already at the Calgary stampede suggesting that an oil pipeline through BC, through my own Territory is in the National interest;
  - With the AG already suggesting that National interest is no veto and national media signing off on this opinion is... a sign of the times.

# Our ancestors demand it

- In a time of Reconciliation in reverse and, as always, our Nations will rise up against it.
- Our Nations, our communities and our ancestors demand it.
- We have no choice but to do the heavy lifting of the constitution and force the Crown to  
To be honest, I wondered, what more can I say that is different. Where do we go from here?
- What will be the point if I just repeat the constructive criticism I last shared with you just weeks ago.
- What are the key ideas or thoughts I can share that might help us in next week's meeting with the PM Carney and the Privy Council Office.
- Most importantly, what can we say to ensure that the PM and PCO don't just talk at us with implementation updates and we bring our own solutions to the table now that Bill 5 is law.



# Key Points

- **First**, Free Prior Informed Consent is a precondition and material requirement for access and application to any major project or the project cannot bypass EAs and other environmental laws;
- **Second**, defining what is in the National Interest is a National, Regional and First Nations-Specific requirement;
- **Third**, the constitutional requirement to consult, accommodate and achieve consent must occur at every stage of implementation of Bill 5, not after the fact;
- **Fourth**, a permanent role for First Nations must be structured in the new Federal Major Projects Office; and,
- **Fifth**, determining what is consent must uplift our inherent self-determination, our self-government and our own laws and legal orders.

# Free, Prior and Informed Consent

- The requirement of consent is from our own jurisdiction, not the common law, not UNDRIP or UNDA. First Nations' legal orders require our consent, approval and that right is continuous and, of course, can be withdrawn.
- Bill C-5 must have FPIC as a requirement.
- It must affirm our legal jurisdictional right to say yes or no.
- FPIC must occur before national interest is determined. FPIC must be standard of consultation for directly affected First Nations.

# National Interest

- On National Interest, it is obvious that this is a supercharged term that puts Canada's interests before ours.
- The term's use is meant to undermine and weaken our Rights.
- That weakness can be turned into our greatest strength, if we are the co-drafters of what National Interest means.
- As Constitutional partners, we must agree on what is in the National Interest.
- Upholding our Title and Rights and the Treaties is in Canada's interest.

# Consult, Accommodate and Consent at every stage

- First Nations must be directly involved in the co-drafting of the policy, administrative and possible regulatory materials that interpret what is in the National Interest.
- The mechanisms for delivering compliance with common law, for uplifting our legal orders and ensuring consent must be co-developed.

# Federal Major Projects Office

- First Nations must:
  - Co-develop MPO framework
  - Guide dispute resolution
  - There needs to be roster of Indigenous experts to advise the MPO on a wide variety of environmental, socio-economic, engineering, construction, legal and other Indigenous-specific issues.



# Consent pursuant to our Law

- Consent is a fundamental expression of our own jurisdiction, it is not merely the checkbox in the duty to consult. It is the uplifting of our legal orders.
- Laws vary by Nation but all demand Consent
- Canada must fund the rapid development of these legal systems

# Calls to Action

- Bill C-5 is law, but our work is just beginning. We cannot allow this legislation to become another tool of colonization disguised as “nation-building”
- Next week’s meeting with PM Carney we must arrive with:
  - Demands for meaningful partnership and co-development and that Canada invest in our capacity to exercise our sovereignty and jurisdiction at the pace this legislation requires
  - Legal and policy solutions grounded in our laws
  - We go united in our demand that our consent – rooted in our legal orders-be the foundation of any “national interest” determination.



# Mussi Cho!

