



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.*



Conservation, Climate Action and Environmental Health

Room 208, Shaw Centre

10:00 AM EST



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JULY 11-13, 2023 • HALIFAX CONVENTION CENTRE – HALIFAX, NOVA SCOTIA

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DU 11 AU 13 JUILLET 2023 • CENTRE DES CONGRÈS DE HALIFAX – HALIFAX (NOUVELLE-ÉCOSSE)



Overview

1. Introductions
2. Conservation: First Nations Nature Table
3. Climate Action: AFN National Climate Strategy
4. Environmental Health: Right to a Healthy Environment



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Conservation: First Nations Nature Table (FNNT)

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Context

- We are collectively facing a multitude of global crises related to environmental degradation that are affecting us here at home.
- AFN's response to the global biodiversity crisis is being actioned through mechanisms presented today.



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Background: Convention on Biological Diversity (CBD) Kunming-Montreal Global Biodiversity Framework (K-MGBF)

- At CBD COP 15, hosted in December 2022, Canada committed to the Kunming-Montreal Global Biodiversity Framework (K-MGBF).
- Through the K-MGBF, Canada committed to actioning work on biodiversity loss through:
 - 23 targets to achieve by 2030
 - Target 3 – 30% terrestrial, inland waters, marine and coastal areas protected by 2030.
 - 4 Overarching Goals to achieve by 2050



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Background: Domestic Implementation

- K-MGBF requires Parties/Countries to update their National Biodiversity Strategic Action Plans (NBSAP) by COP 16 in October 2024.
- Canada is approaching this through the 2030 National Biodiversity Strategy (NBS) led by Environment and Climate Change Canada (ECCC).



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Background: Domestic Implementation

- Canada's NBS, in line with the principles of UNDRIP and the United Nations Declaration Act (2021) seeks early and continued involvement and guidance from Indigenous Peoples.
- This involvement is being achieved through co-developed mechanisms with First Nations, Métis, and Inuit.
 - AFN is in the process of co-designing a First Nations Nature Table (FNNT)



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First Nations Nature Table (FNNT)

- The development of distinctions-based Nature Tables have been recommended to advise Canada on implementation of the National Biodiversity Strategic Action Plan and Federal Nature Agenda.
- This work has been advanced through Resolution 57/2022, *Establishing a First Nations Nature Table*.



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First Nations Nature Table (FNNT)

- Resolution 57/2022 calls upon Canada to ensure:
 1. First Nations are involved in development and implementation of both the National Biodiversity Strategic Action Plan (specific) and Nature Agenda (broadly).
 2. Respect First Nations' assertion of Inherent and Treaty rights.



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First Nations Nature Table (FNNT)

- Resolution 57/2022 calls upon Canada to ensure:
 3. Provision of adequate funding and resources for these undertakings.
 4. The FNNT does not replace or alleviate the Crown of its duty to consult and accommodate First Nations.
 - FNNT is **not** considered a consultative body (similar to the Joint Committee on Climate Action).



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First Nations Nature Table (FNNT) - Process

- FNNT TOR drafting began in late February 2023.
- Drafting process has been addressing overlapping mandates and building alignment between AFN and ECCC and ensuring consistency with Parks Canada and DFO mandates.



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First Nations Nature Table (FNNT) - Composition

- The FNNT will be composed of Federal representatives, AFN staff, and regionally appointed First Nations technical experts.
- The FNNT will be co-chaired by AFN and ECCC representatives.
- Representation will evolve to reflect the priorities identified by the FNNT.
- Additional linkages to AFN National and Regional Nature Coordinators.



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First Nations Nature Table (FNNT) - Objectives

- The FNNT's current objectives are stated as:
 - Collaboratively design, develop, and implement Canada's National Biodiversity Strategic Action Plan (NBSAP), committed to through the K-MGBF, and Canada's Nature Mandate.
 - Ensuring space for First Nations to lead and participate in collaborative planning and decision making.



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First Nations Nature Table (FNNT) - Objectives

- The FNNT's current objectives are stated as:
 - Gather and present First Nations perspectives and advice on implementation of the K-MGBF and Canada's Nature Agenda.
 - Create a space that brings together multiple Federal departments (ECCC, DFO, PCA) with First Nations.



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First Nations Nature Table (FNNT) - Operation

- The FNNT is structured in a manner that will embody Ethical Space in its meetings and collaboration.
- Frequency of meetings is set at a minimum of two per year, with more meetings as needed, decided by consensus.
- The FNNT will develop an annual work plan, guided by the objectives and measured progress to date.



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First Nations Nature Table (FNNT) - Operation

- The FNNT may also work collaboratively with related bilateral and multilateral nature committees on shared priorities.
- The FNNT will provide technical guidance, advice and recommendations through respective representatives to AFN's ACE committee and to ECCC, including the Minister.
 - Outputs will include a public-facing Annual Report.



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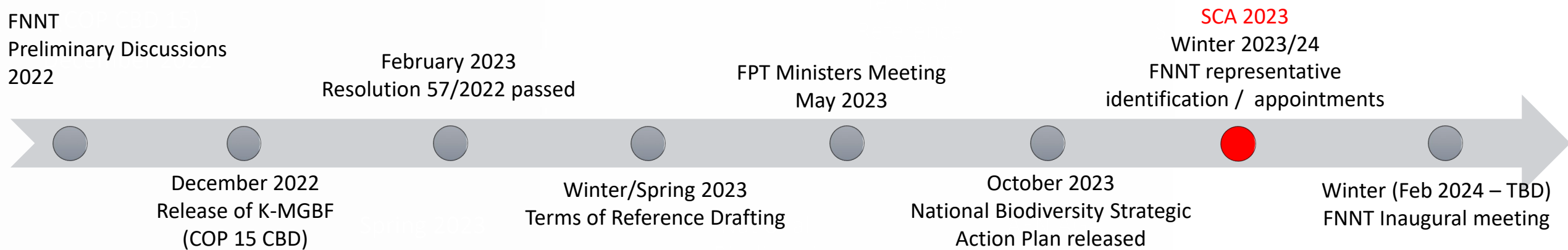
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First Nations Nature Table (FNNT) - Timeline





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Closing

- AFN will be seeking appointed regional representation to the FNNT in winter 2023/24, intended to encompass diverse experiences, knowledge, and expertise.
 - The first inaugural meeting of the FNNT is tentatively scheduled to take place in February 2024.
- The FNNT will be a primary mechanism for First Nations to influence the design and implementation of the National Biodiversity Strategic Action Plan and Canada's Nature Agenda.



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Climate Action: AFN National Climate Strategy

*Nikita Kahpeaysewat, Policy Analyst, Environment Sector –
nkahpeaysewat@afn.ca*



ASSEMBLY OF FIRST NATIONS

NATIONAL CLIMATE STRATEGY

October 2023

Objectives

- Agenda & Meeting Expectations
- Background and Mandates
- AFN National Climate Strategy
- First Nations Climate Lens and Priority Areas
- A Path Forward
- Q&A Discussion



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Mandates

- Resolution 05/2019, *Declaring a First Nations Climate Emergency*
- Resolution 36/2023, *Urgent and Transformative Action Through the AFN National Climate Strategy*

“... climate change constitutes a state of emergency for our lands, waters, animals, ice, and peoples”

ANNUAL GENERAL ASSEMBLY
July 23, 24 & 25, 2019, FREDERICTON, NB Resolution no. 05/2019

TITLE: Declaring a First Nations Climate Emergency
SUBJECT: Climate Crisis; Environment; Emergency
MOVED BY: Chief Dana Tizya-Tramm, Vuntut Gwitchin' First Nation, YK
SECONDED BY: Chief Aaron Sumexhelzta, Lower Nicola Indian Band, BC
DECISION: Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- Article 25: Indigenous peoples have the right to maintain and strengthen their relationship with their traditionally owned or otherwise occupied and coastal seas and other resources and to uphold their responsibilities in this regard.
 - Article 29 (1): Indigenous peoples have the right to the conservation and the productive capacity of their lands or territories and resources. States shall implement assistance programmes for indigenous people for such conservation and protection, without discrimination.
 - Article 32 (1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
 - Article 32 (2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, utilization or exploitation of mineral or other resources.

Certified copy of a resolution adopted on the 23rd day of July 2019 in Fredericton, NB

PERRY BELLEGARDE, NATIONAL CHIEF

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ANNUAL GENERAL ASSEMBLY
JULY 11, 12, & 13, 2023; HALIFAX, NS Resolution no. 36/2023

TITLE: Urgent and Transformative Climate Action through the AFN National Climate Strategy
SUBJECT: Environment, Lands and Waters
MOVED BY: Judy Wilson, proxy, Ojicoyos Indian Band, B.C.
SECONDED BY: Chief Terry Richardson, Papiineau First Nation, N.B.
DECISION: Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.
 - Article 29 (1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
 - Article 32 (1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
 - Article 32 (2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, utilization or exploitation of mineral or other resources.

Certified copy of a resolution adopted on the 12th day of July 2023 in Halifax, Nova Scotia

JOANNA BERNARD, INTERIM NATIONAL CHIEF

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Guiding Vision: Elder's Statement

“With our spiritual laws, practices, experiences, and relationships with our Lands and territories, First Nations peoples have a vital role in defending and healing Mother Earth...”



A Guiding Vision: Elders' Statement of the Advisory Committee on Climate Action and the Environment ('ACE')

We, as First Nations Peoples declare, consistent with the AFN Charter, Mother Earth Accord, and the United Nations Declaration on the Rights of Indigenous Peoples:

First Nations Peoples are in a unique position to be leaders in climate change initiatives because of our knowledge of the sacred teachings of the Land, and must be situated as agents of change in climate action, rather than as passive recipients of climate change impacts;

The Creator gave us the responsibility to preserve and protect Mother Earth and laws that govern all our relationships for us to coexist interdependently with nature and humanity, defining our rights, responsibilities, and obligations to the Land as men and women;

The Creator gave us our spiritual beliefs, languages, cultures, freedom, and a place on Mother Earth to provide us with all our needs;

Mother Earth is in a climate crisis. 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;

With our spiritual laws, practices, experiences and relationships with our Lands and territories, First Nations peoples have a vital role in defending and healing Mother Earth. This is our obligation;

The unbreakable and sacred connection of Land, Air, Water, Sun, Plants, Animals, and our human communities is the material and spiritual basis for our existence;

The impacts of climate change now transcend our Lands and territories, requiring free, prior, and informed consent among First Nations peoples to protect Mother Earth for future generations.

October 28th, 2016

Fort St John, British Columbia



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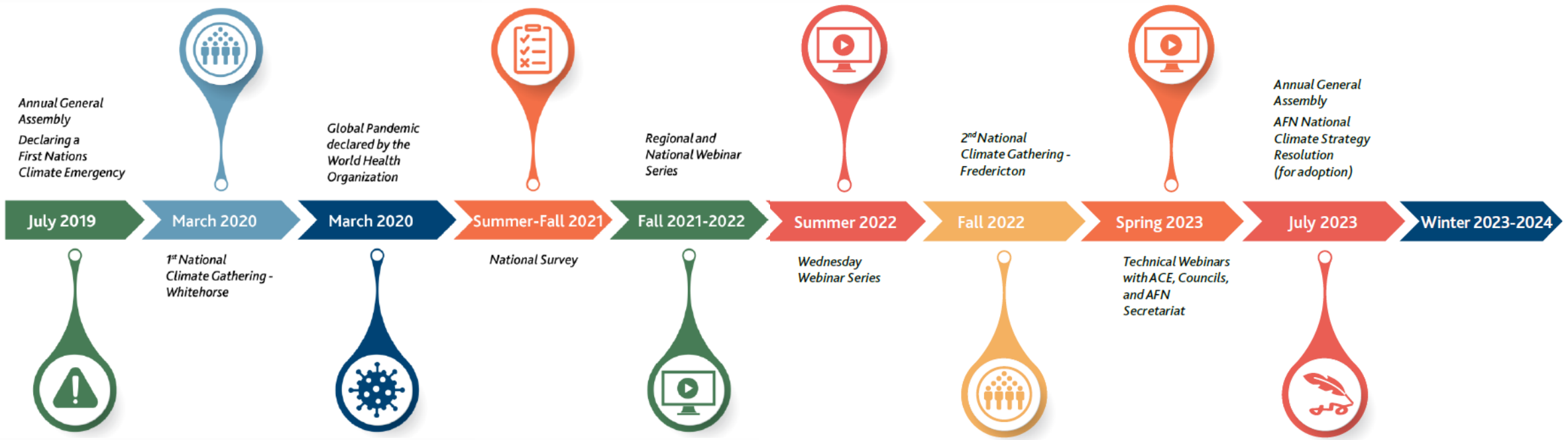
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Timeline





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National Climate Gatherings



2020 Whitehorse, Yukon

2022 Fredericton, NB



First Nations Climate Lens

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





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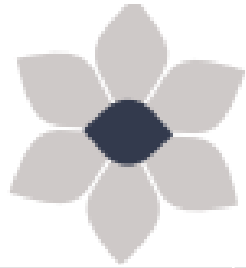


Priority Areas For Action

The AFN National 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.”

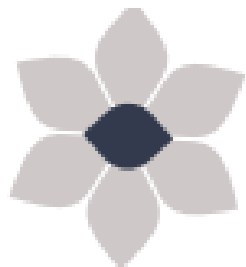
AFN National Climate Strategy





3.1 Prioritize First Nations Knowledge Systems, health, languages, cultures, and spiritualities.

Goal:	First Nations use, without restrictions, their knowledge systems, languages, cultures, spiritualities, and legal systems to respond to climate crisis today and in the future.
Objectives	
3.1.1	Preserve First Nations' knowledge systems, languages, cultures, way of life, and legal systems.
3.1.2	Adequate and long-term funding for revitalization of legal and governance systems.
3.1.3	Ensure First Nations' knowledge systems lead all levels of government to understand the root causes of the climate crisis, including decision-making processes.
3.1.4	First Nations are equipped with understanding the short- and long-term impacts of climate change on their health and wellbeing.



3.1 Prioritize First Nations Knowledge Systems, health, languages, cultures, and spiritualities.

Strategies and Actions		Partners
3.1.1	Financial support for Land-based cultural camps, documentation, and language apps.	Federal, Provincial and territorial departments
3.1.2	Support partnerships with educational institutions and organizations for the revitalization of First Nations languages and legal systems in climate context.	First Nations, educational institutions, and allied organizations
3.1.3	Develop First Nations-led protocols for ethical and equitable engagement with First Nations' knowledge systems for all levels of government.	First Nations with Federal, Provincial and territorial departments
3.1.4	Financial support for First Nations-led research, based on OCAP® Principles and community research protocols.	First Nations with educational institutions and health organizations



3.2 Recognize, respect, and position First Nations Inherent jurisdiction and right to self-determination as central to climate decision-making at all levels.

Goal:	First Nations' Inherent jurisdiction and right to self-determination is recognized and upheld in climate governance, legislation, regulation, and policies at all levels.
Objectives	
3.2.1	Ensure all levels of government climate legislation, regulation, and policies recognize, protect, and safeguard First Nations' right to self-determination.
3.2.2	Facilitate and enhance local and regional First Nations' climate change strategies.
3.2.3	Facilitate First Nations' institutions, governing bodies, and political, economic, and social structures related to climate change.
3.2.4	Facilitate and enhance the First Nations-led terrestrial, aquatic, and marine conservation – First Nation Land and Water Guardians.
3.2.5	Enhance public knowledge and understanding of the societal, cultural, health, and economic consequences of climate change impacts on First Nations.



3.2 Recognize, respect, and position First Nations Inherent jurisdiction and right to self-determination as central to climate decision-making at all levels.

Strategies and Actions		Partners
3.2.1	Mandate cultural safety and awareness training and assessment for all government employees regarding the “Nation-to-Nation” relationship, the true history of Canada, and the rights, jurisdiction, and diversity of First Nations.	Federal, provincial, and territorial departments
3.2.2	Develop a toolkit to support First Nations to develop local and regional climate strategies.	AFN with support from First Nations
3.2.3	Update the Additions-to-Reserve Policy and Process to proactively support First Nations dealing with climate-related impacts.	First nations with federal, provincial, and territorial departments
3.2.4	Support LAND BACK and WATER BACK initiatives led by First Nations.	First Nations with federal, provincial, and territorial departments
3.2.5	Implement Truth and Reconciliation Commission Calls to Action (#62, #63, #64).	Educational institutions



3.3 Address capacity needs to support First Nations governance and their role as climate leaders.

Goal:	First Nations' Inherent jurisdiction and right to self-determination is recognized and upheld in climate governance, legislation, regulation, and policies at all levels.
Objectives	
3.3.1	Address known barriers that limit First Nations' access to, and participation in, all levels of government climate-related funding programs.
3.3.2	Identify the financial, technical, and human capacity needs of each First Nation to strengthen their planning and decision-making.
3.3.3	Strengthen climate change awareness and knowledge for First Nations (including local impacts, mitigation approaches, adaptation, and emergency responses).
3.3.4	Strengthen climate-related training and skills development grounded in First Nations' knowledge and western science.
3.3.5	Remove all barriers facing First Nations women, knowledge keepers, youth, Two-Spirit and members with disabilities to participate in climate action.



3.3 Address capacity needs to support First Nations governance and their role as climate leaders.

Strategies and Actions		Partners
3.3.1	Implement the flexibility, full engagement, decision-making, implementation, and joint evaluation into the <i>Best Practices for Program Design and Implementation</i> .	Federal, provincial, and territorial departments with First Nations
3.3.2	Enhance support to First Nations to act on self-determined ecosystem stewardship priorities.	Federal, provincial, and territorial departments with First Nations
3.3.3	Create an online climate network and discussion forum for First Nations peer-to-peer climate discussion and information sharing.	AFN with First Nations
3.3.4	Establish climate-related training, mentorship, and skills development grounded in First Nations knowledge and Western science.	First Nations with federal, provincial, and territorial departments
3.3.5	Develop a National First Nations Accessibility and Disability Inclusion Climate Action Toolkit.	AFN with First Nations



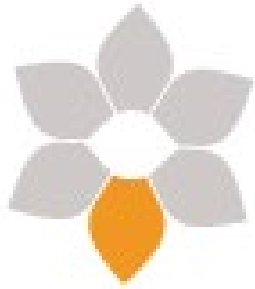
3.4 Ensure First Nations self-sufficiency in food, water, and energy.

Goal:	First Nations are self-sufficient in the areas of food, water, and energy, supporting the health and resilience of future generations
Objectives	
3.4.1	Recognize that food, water, and energy represent a foundational element of First Nations' self-determination, restoration of jurisdiction and authority over lands and waters.
3.4.2	Create and enhance mechanisms to effectively understand, plan, and respond to the impacts of climate change on traditional food systems, water sources, and energy systems.
3.4.3	Ensure food security, especially those in colder climates and those most vulnerable to climate-related impacts.
3.4.4	Recognition and respect of First Nations' water governance and authority (watersheds, wetlands, groundwater, rainwater, and the ocean).
3.4.5	Facilitate First Nations' energy independence and energy security.



3.4 Ensure First Nations self-sufficiency in food, water, and energy.

Strategies and Actions		Partners
3.4.1	Empower First Nations-led energy systems including rights-based resource revenue sharing from all levels of government to combat climate change.	First Nations with Federal, provincial, and territorial departments, and utility companies.
3.4.2	Ensure culturally significant species (salmon, caribou, eels, bison) are protected and restored through stewardship and monitoring plans and Indigenous Protected and Conserved Areas (IPCAs).	First Nations
3.4.3	Support First Nations-led climate-related risk, health impacts, and vulnerability assessments to identify priority areas unique to their communities.	Federal, provincial, and territorial departments
3.4.4	Develop partnership agreements that acknowledge First Nations water governance and authority in relation to water sources (wetlands, groundwater, rainwater, and the ocean).	First Nations with federal, provincial, and territorial departments
3.4.5	Ensure First Nations are positioned to lead the clean energy transition through <i>Resolution 55/2017, First Nations Energy Strategy</i> .	AFN with First Nations



3.5 Close the natural and built infrastructure gap.

Goal:	First Nations close the natural and built infrastructure gap, enabling an effective and self-determined response to current and projected climate impacts
Objectives	
3.5.1	Identify climate vulnerability of existing infrastructure across First Nations.
3.5.2	Establish climate-resilient infrastructure within First Nations communities while reducing emissions and reliance on fossil fuels.
3.5.3	Support agreements, laws, initiatives, and networks that promote local and regional collaboration between First Nations.
3.5.4	Ensure accessible, safe, and affordable low-carbon and active transportation within and between First Nations.
3.5.5	Ensure First Nations housing and buildings are culturally appropriate, energy-efficient, and resilient to climate change.



3.5 Close the natural and built infrastructure gap.

Strategies and Actions		Partners
3.5.1	Support the immediate investments (\$349.2 billion) to Close the First Nations Infrastructure Gap by 2023 in areas of housing, education, road access, and infrastructure.	Federal, Provincial, and territorial departments with First Nations
3.5.2	Develop and implement the <i>First Nations Green Infrastructure Fund</i> to address the infrastructure deficit.	AFN with First Nations
3.5.3	Empower First Nations to manage their own resources and generate own-source revenue through legislation, regulation, and policy.	First Nations with federal, Provincial, and territorial departments
3.5.4	Financial support to develop a First Nations Transportation Strategy for safe, accessible, and low-carbon transportation.	First Nations with AFN
3.5.5	Financial support to build culturally appropriate, energy efficient, and resilient housing to address homelessness and overcrowding crisis.	Federal, Provincial, and territorial departments



3.6 Ensure First Nations are equipped to mitigate, prevent, respond, and recover to all emergencies.

Goal:	First Nations are equipped with the financial, technical, and human resources to control their own emergency management programs, systems, and strategies to mitigate, prevent, respond, and recover to all emergencies
Objectives	
3.6.1	Promote and safeguard First Nations knowledge systems, rights, and self-determination in government emergency management.
3.6.2	Strengthen First Nations-led emergency management at the community, regional, and national level to respond to climate-related emergencies effectively.
3.6.3	Provide financial, technical and human capacity to support the development, implementation, and monitoring of emergency management strategies, action plans, and risk assessments.
3.6.4	Enhance community-based climate-related assessments and monitoring to generate data.



3.6 Ensure First Nations are equipped to mitigate, prevent, respond, and recover to all emergencies.

Strategies and Actions		Partners
3.6.1	Integrate emergency management planning into climate response by merging risk reduction with climate adaptations at all levels of government.	Federal, Provincial, and territorial departments
3.6.2	Support First Nations to create regional or community emergency management coordinators and establish emergency management plans.	Federal, Provincial, and territorial departments
3.6.3	Financial support to conduct vulnerability and risk mapping studies to apply preventative measures for emergency responses.	Federal, Provincial, and territorial departments
3.6.4	Develop and implement strategies to provide emergency information and support in First Nations languages.	First Nations



3.7 Leverage the First Nations Climate Lens to reform federal, provincial, and territorial legislation, regulation, policy, and programs.

Goal:	The First Nations Climate Lens is used to guide reform of all legislation, regulation, policy, and programs at all levels of government in full partnership with First Nations
Objectives	
3.7.1	Ensure all climate-related legislation, regulation, policies, programs, and their implementation mechanisms align with the First Nations Climate Lens.
3.7.2	Remove legislative, regulatory, and policy barriers for First Nations to exercise their self-determination.
3.7.3	Increase public understanding of the role of colonization and colonial laws, in limiting and restricting First Nations ability to respond to climate change.
3.7.4	Strengthen collaboration and partnership between First Nations and governments in climate response, conservation, and environmental protection and stewardship.
3.7.5	Develop First Nations Climate Lens toolkit to support First Nations in applying to their communities.



3.7 Leverage the First Nations Climate Lens to reform federal, provincial, and territorial legislation, regulation, policy, and programs.

Strategies and Actions		Partners
3.7.1	Hold governments and industries accountable for their climate and environment impacts through the <i>Canadian Net Zero Emissions Accountability Act</i> , <i>Impact Assessment Act</i> , and the <i>Canadian Energy Regulator Act</i> .	Federal departments with First Nations
3.7.2	Support First Nation Guardian programs to enable the establishment of Indigenous Protected and Conserved Areas.	First Nations with AFN
3.7.3	Develop communication materials to raise awareness of the First Nations Climate Lens to support its implementation.	AFN with First Nations
3.7.4	Host an AFN National Climate Gathering every two years to support First Nations experiences, impacts, and solutions.	AFN
3.7.5	Develop a toolkit in adapting and applying the First Nations Climate Lens to local circumstances.	AFN with First Nations

Path Forward

- Encourage you all to review the Strategies & Actions, as well as the Implementation Partners
- Develop an implementation plan, in collaboration with First Nations and the Advisory Committee on Climate Action and the Environment ('ACE')
- Implement!





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ANNUAL GENERAL ASSEMBLY

JULY 11-13, 2023 • HALIFAX CONVENTION CENTRE
HALIFAX, NOVA SCOTIA

HALIFAX (KJIPUKTUK) IS LOCATED IN
MI'KMA'KI, THE ANCESTRAL AND UNCEDED
TERRITORY OF THE MI'KMAQ PEOPLE



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HALIFAX (KJIPUKTUK) EST SITUÉE SUR LE
MI'KMA'KI, TERRITOIRE ANCESTRAL ET NON
CÉDÉ DU PEUPLE MI'KMAQ

Hiy-hiy (thank you)



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Special Chiefs Assembly

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Shaw Centre – Ottawa, Ontario

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du peuple algonquin.*



Environmental Health: Right to a Healthy Environment (RTHE)

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Right to a Healthy Environment (RTHE)

- RTHE is a new provision introduced under the amended Canadian Environmental Protection Act (CEPA) through Bill S-5.
- An obligation on the government to develop, within 2 years of the amendment coming into force, an implementation framework to set out how this right will be considered in the administration of CEPA.
- Government of Canada (ECCC, HC) conducting series of engagement and information sessions, including Indigenous specific engagements.
- AFN's participation mandated through **Resolution 65/2018** *Closing the Environmental Protection Regulatory Gap on First Nation Lands*.



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RTHE Framework Requirements

- Broadly: The Framework must set out how the Right will be considered in administration of CEPA.
- The Framework must also elaborate on:
 - **Principles to be considered** (such as environmental justice – including the avoidance of adverse effects that may disproportionately affect vulnerable populations);
 - **Research, studies, monitoring** in support of the Right;
 - Relevant factors to be taken into account when interpreting and applying the Right and in determining the **reasonable limits** to which it is subject;
 - **Mechanisms** to support protection of Right.



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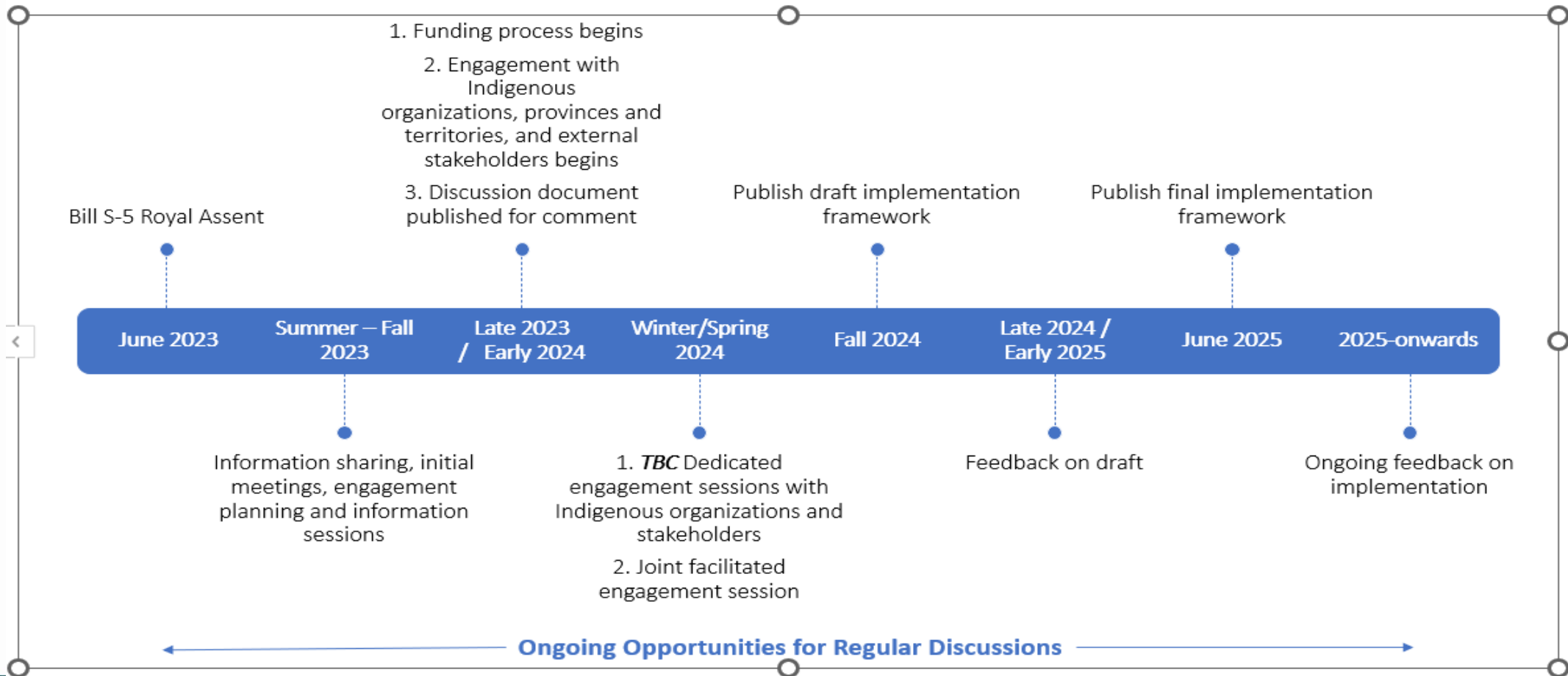
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Timeline





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International Context

- On October 8, 2021, the UN Human Rights Council adopted resolution 48/13 recognizing that a clean, healthy, and sustainable environment is a human right.
- On July 28, 2022, the UN General Assembly (UNGA) passed a resolution (A/76/L.75) recognizing the right to a clean, healthy, and sustainable environment as a human right.
- Scale up fight against the triple planetary crisis of climate change, biodiversity loss, and pollution.
 - reduce environmental injustices, close gaps, empower people, and accelerate Sustainable Development Goals (SDGs).



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Why is RTHE important to First Nations?

- Strong ties with First Nations' self-determination, lifeways, environmental protection, and overall well-being;
- Assertion of First Nations rights and knowledge systems;
- Hold Canada accountable on matters relating to:
 - Inherent and Treaty Rights,
 - environmental racism,
 - Pollution,
 - climate action,
 - Conservation and loss of biodiversity,
 - Indigenous food systems, and;
 - UNDRIP/UNDA implementation.
- It is important that First Nations are well resourced to participate meaningfully in the development of the RTHE Framework and subsequent implementation efforts.



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Areas of Concern/Priority for Advocacy

- Concern: That Canada's interpretation of the RTHE and approach may be watered-down
 - Subject to balancing with economic, scientific, and other factors.
- Concern: How the right (RTHE) will be protected and enforced, including potential interface with Indigenous rights.
 - RTHE must be developed and implemented without infringing on Indigenous rights.
- Concern: Mechanisms to ensure meaningful First Nations participation in the entirety of the process.
 - First Nations must be well-resourced at all levels (National, regional, community) to participate meaningfully – funding, capacity development, feasible timelines, honoring UNDRIP/UNDA.
 - Engagement must occur directly with Rights-holders.
- Concern: How the RTHE framework will address existing issue of environmental racism.



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Next Steps

- Continue to engage federal departments/counterparts to seek meaningful First Nations participation.
- Seek opportunities to assert First Nations rights and knowledge systems in the RTHE process.
- Continue to seek the guidance and participation of the Advisory Committee on Climate Action and the Environment (ACE).



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Discussion