



BRIEFING NOTE

Draft AFN Resolutions on Environment & Climate

To: Ontario First Nations Leadership
From: Chiefs of Ontario, Environment Sector
Date: July 7, 2023
Purpose: To provide an overview of Draft AFN Resolutions

ISSUE

The Chiefs of Ontario (COO) Environment Sector is providing an overview of relevant environment-related Resolutions to be brought forth during the upcoming Assembly of First Nations (AFN) Annual General Assembly (AGA), on July 11-13, 2023.

RESOLUTIONS

Draft Resolution #22/2023 – Treaty Rights to Lands, Water, Hunting, Fishing, Trapping, and Gathering

- Raises climate change impacts and requests to establish a fund to hold gatherings at local, regional and national levels to discuss solutions.
- AFN has held two (2) national climate gatherings and will be presenting a climate strategy plan at the AFN AGA, on July 11-13, 2023.
- This resolution is in line with the recent COO Communique released to the PTOs and Independent First Nations in Ontario, dated June 30, 2023, where COO Environment will receive CIRNAC funding for regional discussions to be held by the PTOs and Independants.
- Contracts and other supporting documentation will be forth coming. Support for this AFN resolution is recommended to request additional funding for further discussions at the local community level.

Draft Resolution #25/2023 – Support for First Nations in the Energy Industry: Small Modular Reactors

- This resolution is unclear as to which First Nations are seeking national support.
- Do roughly 627 First Nation communities support approximately 3 First Nations in its initiative where the Federal government has not carried out its fiduciary obligations on consultation and accommodation on Small Modular Nuclear Reactors (SMRs) in Ontario?
- This resolution is a local initiative in New Brunswick and should not be tabled at a national level for support.

- This resolution is in opposition of the COO Resolution #21/24 – *Small Modular Reactors and First Nations Energy Requirements* and AFN Resolution #62/2018 – *Small Modular Nuclear Reactors (SMRs)*.

Draft Resolution #30/2023 – Addressing Impacts from Mine Tailings Spills

- This resolution requests FPIC adhesion of the entire mining processes, funding for First Nations’ full participation on mining legislation, regulations, policy revisions and developments, identifying First Nations priorities from mining tailings spills, and to develop a database of mining spills and failures for monitoring, reporting and response mechanisms.
- Support for this AFN resolution is recommended in light of existing and proposed mining developments in Ontario.

Draft Resolution #31/2023 – Urgent and Transformative Climate Action through the AFN National Climate Strategy

- This resolution seeks reaffirmation of the climate emergency declaration made in 2019, endorsement and implementation of the AFN National Climate Strategy plan, to obtain sustainable funding for FN climate strategies, and support the use of the National Climate Strategy at national and international settings.
- Support for this AFN resolution is recommended to ensure FN in Ontario obtain funding to strategize in pursuing climate action and addressing climate impacts.

Draft Resolution #37/2023 – Opposition of Nuclear Technology, Waste, Transport and Storage

- This resolution calls on adhesion of UNDRIP and ensuring constitutional rights protection by the Government of Canada, FPIC implementation in nuclear activities, transportation and disposal, regional advocacy on nuclear policies with Natural Resources Canada (NRCan), and exploring options from Section 15 of the *Canadian Charter of Rights and Freedoms* of “Eliminating Environmental Inequality”.
- This resolution conflicts with AFN draft Resolution #25/2023 where it is seeking support in its pursuit of nuclear energy.
- This resolution is compatible with COO Resolution #21/24 – *Small Modular Reactors and First Nations Energy Requirements* and AFN Resolution #62/2018 – *Small Modular Nuclear Reactors (SMRs)*.
- The federal government has not carried out its fiduciary obligations on consultation and accommodation on SMRs in Ontario.

FISHERIES RESOLUTION

Draft Resolution #41/2023 – First Nations-Based Inland Fisheries Framework

- This resolution demands a First Nations meeting to develop a framework with AFN providing the contents for discussion.
- The framework will include all First Nations across this land to exercise their Inherent, Treaty and Constitutional rights to fish regardless of provincial government assumed administration.

- Support for this resolution is recommended as it wishes to address the fragmented assertion of fishing rights for all First Nations.