

**ENVIRONMENT****OVERVIEW**

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Relying upon the leadership and direction of the Advisory Committee on Climate Action and the Environment (ACE), and with a direct focus on the advancement of Indigenous Knowledge Systems through the support of key Elders, including the Assembly of First Nations (AFN) Elders Council, the AFN Environment Sector functions to enhance the exercise of First Nations' self-determination and jurisdiction within the context of the natural environment.

The AFN Environment Sector is guided by a wide variety of resolutions passed by the Chiefs-in-Assembly, all of which call upon the AFN to engage in a range of distinct environmental issues. This includes the establishment of several joint AFN-Canada technical committees, as well as providing regional supports through meetings and other information-sharing mechanisms, including a weekly Friday-afternoon ACE teleconference.

**UPDATE**

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**Climate Change**

In the face of a rapidly changing climate, First Nations have much to contribute to global climate action. First Nations' collective knowledge as observers, stewards, and interpreters of ecosystems offers invaluable insight to lead and complement action on climate change.

Led by the ACE, the AFN Environment Sector is working to support the critical role of First Nations in climate mitigation and adaptation efforts to drive an evolution towards more sustainable growth and economic development. This includes engagement in a joint technical process with Canada framed around the Joint Committee on Climate Action (JCCA), as well as the establishment of a network of First Nations Regional Climate Change Coordinators.

The JCCA, which provides ongoing joint engagement opportunities between First Nations' technical representatives and the federal government on climate-based issues, met in Charlottetown, PEI, last August 2018. This included a trip to Lennox Island First Nation to learn from their first-hand experience with sea level rise and coastal erosion due to climate change.

The JCCA has since met in Ottawa, in November 2018, to prepare an Annual Report to the Prime Minister and National Chief. The finalization and submission of this report took place early this year. Quarterly meetings are ongoing.

The AFN Environment Sector also participated in the most recent UN Conference of the Parties (COP 24) focused on climate change, in

Poland, where the newly established Indigenous Peoples' Platform (IPP) was a central focal point for ongoing Indigenous advocacy.

### **Species at Risk**

The federal *Species at Risk Act* (SARA) provides for the legal protection of wildlife species and the conservation of biological diversity, in accordance with Canada's commitments under an international United Nations agreement – the Convention on Biological Diversity (CBD).

The SARA is the only piece of federal legislation that explicitly recognizes the role of Indigenous Peoples in the administration and implementation of an Act. The AFN Environment Sector is working with officials from Environment and Climate Change Canada (ECCC) to support the direct inclusion of First Nations interests in species/habitat protection, conservation, management and recovery across Canada.

This includes the creation of a new First Nations Advisory Committee on Species at Risk (FNACSAR) which is a First Nation-specific joint technical committee created under *Section 9* of the SARA to advise the Minister of Environment and Climate Change and other competent Ministers on the application and implementation of the Act. The FNACSAR will host its fifth meeting early this year, in Victoria, BC.

The AFN has also been engaged in efforts leading up to the re-establishment of the National Aboriginal Council on Species at Risk (NACOSAR), a pan-Aboriginal advisory committee constituted under *Section 8 (1)* of the SARA to similarly provide technical advice to the Minister of Environment on the application and implementation of the Act. The first meeting of the NACOSAR took place in November 2018.

The AFN Environment Sector also participated in the most recent UN Conference of the Parties (COP 14) on the Convention on Biological Diversity, in Egypt, where the future of the Working Group on Article 8(j) of the CBD relating to Indigenous Peoples remains a focal point for Indigenous advocacy for the post-2020 period.

### **Environmental and Regulatory Reviews**

Following fourteen months of federal "engagement", the Government of Canada introduced Bill C-68: *An Act to amend the Fisheries Act and other Acts in Consequence*; and Bill C-69: *An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act*, to amend the Navigation Protection Act and to make consequential amendments to other Acts into the House of Commons. The Environment Sector is involved in this review to engage in a focused dialogue with First Nations to substantively identify and recognize the protocols and for joint processes on the drafting of legislative amendments, policies and regulations.

The AFN Environment Sector continues to host a series of technical sessions for First Nations across the country in this regard. In collaboration with the ACE, the AFN Environment Sector made a submission to Bill C-69. As Bill C-69 enters second reading in the Senate, the Environment Sector is looking to develop briefing materials for First Nations to participate in the process. Under the guidance of the ACE, the Sector will likely make a more targeted submission to the Senate Committee on Energy, the Environment, and Natural Resources (ENEV). Bill C-68 was handled by our National Fisheries Committee (NFC), and will continue to be advanced by AFN's newly established Fisheries Sector, under the leadership of its new Director, Ken Paul.

### Indigenous Protected and Conserved Areas (IPCA)

Working as part of Canada's "Pathway to Canada Target 1" initiative, the Environment Sector is supporting the creation of First Nations' protected and conserved areas whereby First Nations are able to exercise their jurisdiction over broad swaths of their territories, and to have these areas recognized in Canada and in an international context.

Fiscal year 2018-19 saw the lead role for the Pathway initiative shift from Parks Canada to Environment and Climate Change Canada (ECCC). After some disruption, the AFN Environment Sector remains focused on ensuring an ongoing leadership role within this process. The Pathway initiative is currently entering into its second phase, which includes

significant funding opportunities for First Nations' based conservation (e.g., IPCAs).

This was followed by the Chiefs-in-Assembly passing Resolution 64/2018, *Indigenous Protected and Conserved Areas – Pathway to Canada Target 1: Conservation 2020 Initiative*, which supports the AFN Environment Sector's on-going participation in the second phase of the Pathway, including the establishment of an Indigenous Protected and Conserved Areas (IPCAs) working group. Under the AFN's Advisory Committee on Climate Action and the Environment (ACE), this IPCA Working Group is expected to carry-on some aspects of the work started by an Indigenous Circle of Experts (ICE), created in Phase 1 of the Pathway, which produced the seminal 2018 report "We Rise Together".

### NEXT STEPS

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The following are confirmed to take place in the first several months of 2019, led by the AFN Environment Sector:

- First Nations Advisory Committee on Species at Risk (FNACSAR), January 29-30, 2019, Victoria, BC.
- Joint Committee on Climate Action (JCCA) Meeting, February 19-21, 2019, Edmonton, AB.
- Advisory Committee on Climate Action and the Environment (ACE) meeting, February 28 – March 1, 2019, Ottawa, ON.
- Environment and Regulatory Review Information Sessions:
  - February 14, 2019, Ottawa, ON.
  - March 8, 2019, Calgary, AB.
  - March 27, 2019, Halifax, NS.

