



AFN ENVIRONMENTAL STEWARDSHIP

RESPECTING AND PROTECTING MOTHER EARTH

FIRST NATIONS & USED NUCLEAR FUEL

First Nations have a unique cultural, traditional and social connection to the land, and a special interest in preserving and protecting the balance of the environment while providing a sustainable future for generations to come. Elders have advised that we must consider the impact of our actions for seven generations. This is particularly important when considering the creation of a long-term deep geological repository for Canada's used nuclear fuel.

Many First Nations communities are situated close to a nuclear power plant or research centres, or they hold traditional territory in areas that might potentially be affected by the future location of a storage facility for used nuclear fuel. Other communities situated along potential transportation routes will also be affected. It is for these reasons that First Nations need to play an active role in the site selection process for the long-term storage of used nuclear fuel. In order to effectively address the interest of First Nations, significant and culturally appropriate engagement and consultation is necessary.

Licensed interim storage facilities



ASSEMBLY OF FIRST NATIONS

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QUICK FACTS

- **Section 35(1) of the *Constitution Act, 1982* recognizes and affirms existing Aboriginal and treaty rights¹**
- **The Supreme Court of Canada (SCC) has ruled that the Crown is legally obliged to consult with First Nations about actions which might infringe Aboriginal rights²**
- **This includes the impacts of a long-term deep geological repository for used nuclear fuel within or near First Nations lands and traditional territories**

Dialogue Sessions

The Nuclear Waste Management Organization (NWMO) is planning to undertake a broad public dialogue and engagement program (Spring – Fall 2009) to invite public discussion on the upcoming “Draft Siting Process Proposal”. The focus of this engagement will be in the four nuclear fuel cycle provinces of Ontario, Quebec, New Brunswick and Saskatchewan.

First Nations Participation

The AFN strongly supports meaningful engagement and consultation with First Nations governments and communities so that First Nations have the opportunity to become involved in the decision making process. The AFN recommended to the NWMO separate dialogue sessions with First Nations governments and communities. These dialogue sessions must be open and transparent with sufficient timelines providing the fullest information available. Full participation in all aspects of any decision making process is essential and consent to any activity affecting First Nations land and traditional territories is required for First Nations to ensure control over their own future.

First Nations participation in these dialogues sessions will:

- ☒ Raise awareness within First Nations communities regarding the site selection process for the long-term deep geological repository (storage);
- ☒ Build First Nations capacity and awareness to engage in discussions and to become involved in the decision making process; and
- ☒ Promote dialogue within First Nation communities and between First Nations and the Nuclear Waste Management Organization.

The AFN will play a supportive role in upcoming dialogue sessions by assisting in the development of a First Nations dialogue process which will ensure First Nations participation. It is important to note that these dialogue sessions should not be interpreted as consultation with First Nations but rather as a sharing of information about used nuclear fuel in order to promote discussion and engage First Nations in the process of selecting a site for a long-term deep geological repository.

For more information on how to get involved, contact the Assembly of First Nations at 613-241-6789 or toll-free 1-866-869-6789 or send an email to environment@afn.ca

¹ *Constitution Act, 1982*, being Schedule B to the *Canada Act, 1982* (U.K.), 1982, c.11., section 35(1).

² *R. v. Sparrow*, [1990] 1 S.C.R. 1075 (Sparrow).