

Speaking Notes re: Bill S-8
Jobs, Growth and Long-term Prosperity Act

Greetings and thank you for welcoming us into Algonquin territory

My comments today will focus primarily on two matters: Bill C-38 and its impact on our Inherent and Treaty Rights and Responsibilities; and Canada's failure to consult with our Peoples regarding the amendments.

First, I would like to speak to the impact of the amendments of the *Fisheries Act* and *Canadian Environmental Assessment Act*. These amendments significantly impact our Inherent right and responsibility to protect our Natural World that includes the health of our air, our lands and resources, and our waters. Significantly impacted, also, is our Treaty right to sustenance. We have hunted, fished, trapped and gathered for thousands of years in these territories now called Canada. We will continue to do so.

Before the arrival of the newcomers, the Indigenous Peoples clearly understood that the land, air and water are gifts from the Creator. These gifts ensure our survival and sustain our livelihood. Indigenous Peoples have the responsibility to preserve and protect these gifts for the benefit of present and future generations.

During Treaty making, our Peoples agreed to share these gifts with the Europeans. We understand the concept of "sharing" which is

fundamental to our cultural laws; we did not cede nor surrender these gifts to the newcomers.

However since the conclusion of Treaty in our Territories, the governments have assumed jurisdiction over our lands and resources, through legislation. This legislation is a violation of Treaty.

Indigenous Peoples fought hard to have our Treaty rights entrenched in the *Constitution Act, 1982*. This Act of Parliament means that governments cannot unilaterally propose actions that will abrogate or derogate from these rights.

Bill C-38 impacts our Treaty right to fish with its proposed amendments to the *Fisheries Act*. It narrows the definition of “protection” that applies to “fish, fish life and fish habitat of all fish”. The Bill lowers the standard of care and protection which ultimately endangers the health of our Peoples who rely on fish as a food source for their livelihood and health.

Bill C-38 will also gut the environmental protection provisions of the current *Canadian Environmental Assessment Act*. The proposed amendments give Cabinet too much authority and control over environmental assessments and projects. This threatens to politicize environmental decisions. The future of the environment is more important than jobs and profitability.

Secondly, Canada has failed to consult with the Indigenous Peoples on the amendments to these Acts. This Bill does not reflect the Supreme Court decision on the duty to consult and accommodate. In addition, this failure is in conflict with the *United Nations Declaration on the Rights of Indigenous Peoples* which clearly acknowledges Indigenous Peoples' right to free, prior and informed consent.

Bill C-38 is a clear attempt to purposefully minimize the federal government's obligations to consult and accommodate First Nations' Treaty and Inherent rights.

I want to make it clear that Bill C-38 - as it stands now - will be outright rejected by our Peoples if our concerns and needs are not accommodated.

We need mechanisms in place to ensure that Traditional Environmental Knowledge is respected and utilized in environmental monitoring, evaluation and reporting. We must participate in environmental protection activities which directly impact our lives.

The Federation of Saskatchewan Indian Nations strongly recommends that Bill C-38 be divided into its several components, particularly those provisions dealing with environmental protection. We want to study the impacts on our rights; be able to respond in a meaningful way; be able to negotiate accommodation where required; and formally participate in the decision-making.

