

- **C-91, An Act respecting Indigenous Languages**

Status: Royal Assent, June 21, 2019

The AFN **co-developed** this legislation and also participated as witnesses in House of Commons' committees twice ([20/02/2019](#) and [26/02/2019](#)) and [Senate committees](#) once.

The impacts of Bill C-91 provide legal assurance for adequate, sustainable and long-term funding for First Nations-led efforts to revitalize their languages and affirms Indigenous language rights as inherent rights within Section 35 of the *Constitution Act, 1982* and empowers self-determined language rights. Bill C-91 establishes The Office of the Commissioner of Indigenous Languages.

Bill C-91 is the result of decades of advocacy by First Nations leaders, Elders and language champions.

- **C-92, An Act respecting First Nations, Inuit and Métis children, youth and families**

Status: Royal Assent, June 21, 2019

The AFN **co-developed** this legislation, including participation as witnesses in [House of Commons' committees](#) once and [Senate committees](#) once.

This legislation affirms First Nations jurisdiction, which is crucial to First Nations building their own systems based on their own governance, laws, and policies, and affirms the inherent Indigenous and Treaty rights of First Nations, including self-determination and self-government over First Nations child and family services.

Bill C-92 sets out key principles that will prevent children from being removed from their homes unnecessarily, promotes children staying in their communities and nations and ensures "the best interests of the child" principle is understood and applied with a First Nations lens for children and families.

- **C-48, An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast**

Status: Royal Assent, June 21, 2019

The Oil Tanker Moratorium Act prohibits oil tankers that are carrying more than 12,500 metric tonnes of crude oil or persistent oil as cargo from stopping or unloading crude oil or persistent oil at ports or marine installations located along British Columbia's coast from the northern tip of Vancouver Island to the Alaska border. The Act prohibits loading if it would result in the oil tanker carrying more than 12,500 metric tonnes of those oils as cargo; prohibits vessels and persons from transporting crude oil or persistent oil between oil tankers and those ports or marine installations for the purpose of aiding the oil tanker to circumvent the prohibitions on oil tankers; and establishes an administration and enforcement regime that includes requirements to provide information and to follow directions, and provides for penalties up to a maximum of five million dollars.

This bill seeks to protect the BC coast that many First Nations call home. The transport of crude oil on this coastline brings with it a number of ecological and financial risks (tourism, fishing, etc.). There has been a voluntary "tanker exclusion zone" in place since 1985.

This bill was very contentious; the Senate vote was 49-46 in favour, and the Senate committee it was referred to recommended killing the bill.

The Government of Alberta is planning to challenge the constitutionality of this bill in court.

- **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**

Status: Royal Assent, June 21, 2019

The AFN was **supportive** of this legislation, including participation as witnesses in [House of Commons' committees](#) once and [Senate committees](#) once. Nine resolutions were passed over the last three years to mandate the AFN to engage on this piece of legislation. AFN hosted almost a dozen technical sessions over the past two years to facilitate information sharing and engagement with First Nations on the lead-up to Bill C-69.

This bill is aimed at completely changing the way major infrastructure projects are assessed and approved. This bill came in the wake of the Trans Mountain Pipeline decision from the Federal Court of Appeal, which ruled that Indigenous groups were not consulted properly and that Environmental concerns were not properly addressed. While the Bill is not perfect, it brings the Impact Assessment process into alignment with Canadian law. This includes: the inclusion of First Nations rights, considerations of Indigenous knowledge, and enhanced First Nations participation throughout the process. Bill C-69 is unique in that it makes explicit reference to the UN Declaration on the Rights of Indigenous Peoples.

This bill was extremely contentious with 188 amendments being proposed by the Senate and 99 of them being adopted. One of these amendments was reducing the power of cabinet in the assessment of these major projects and deferring it to a third-party. The final Senate vote for the acceptance of the House of Commons note on the amendments (not all of them being accepted) was 57 to 37.

The Government of Alberta is planning to challenge the constitutionality of this bill in court.

- **C-71, An Act to amend certain Acts and Regulations in relation to firearms**

Status: Royal Assent, June 21, 2019

The AFN was **opposed** to this legislation, including participation as witnesses in [House of Commons' committees](#) once and [Senate committees](#) once.

This bill will infringe on hunting rights and autonomy rights for First Nations through the prevention of access (moving from a five year background check to a full background check means First Nations individuals who have criminal records as a result of systemic discrimination will not be permitted ownership), the limitation of transportation, and the new data being collected that poses a privacy risk. The transportation restrictions also put more responsibility on First Nations police services that are already under-funded.

- **C-88, An Act to amend the *Mackenzie Valley Resource Management Act* and the *Canada Petroleum Resources Act* and to make consequential amendments to other Acts**

Status: Royal Assent, June 21, 2019

The bill is focused on repealing the previous government's decision, through Bill C-15, to arbitrarily merge four land and water boards in the Mackenzie Valley into one super-board. This decision violated constitutionally protected Indigenous land claim and self-government agreements, and it ended up in court. This new piece of legislation means that The Mackenzie Valley Resource Management Act includes four land and water boards in the Mackenzie Valley, which are central to comprehensive land claims and self-government agreements of several local Indigenous governments and organizations. This bill will allow much more Indigenous input and consultation when it comes to resource development in the Mackenzie Valley area.

- **C-81, *An Act to Ensure a Barrier-Free Canada***
Status: Royal Assent, June 21, 2019

While the AFN is supportive of this bill in theory, the ambiguity surrounding the jurisdictional impacts of this bill are a concern. Whereas the bill seeks to make all areas of federal jurisdiction accessible and barrier-free, there is no clarity on how this would directly or indirectly impact First Nations. A particular concern is the financial or human-resources capacity to realize the regulations put in place by this bill.

- **C-68, *An Act to amend the Fisheries Act and other Acts in consequence***
Status: Royal Assent, June 21, 2019

The AFN was **supportive** of this legislation, including participation as witnesses in [Senate committee](#) once.

This legislation supports the concept that Indigenous knowledge is essential in the protection and preservation of the environment and in the monitoring and mitigation of the adverse effects of climate change. Fish and their ecosystems play an integral role in the livelihoods of First Nations in BC and across Canada, and incorporating Indigenous knowledge in future fishery projects and proposals is vital to preserving this unique relationship.

- **C-97, *An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2019 and other measures***
Status: Royal Assent, June 21, 2019

The AFN was **opposed** to this legislation and provided a [written submission to the House Standing Committee on Finance](#).

While the bill provides significant financial contributions to First Nations causes, the AFN remains opposed to the bill as it stands due to the lack of consultation surrounding major changes that directly affect Indigenous and First Nations groups. In particular, the splitting of Indigenous Affairs and Northern Development into two new departments (Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs). This lack of adequate consultation reflects poorly on reconciliation and co-development of policies that impact the lives of First Nations peoples and their communities.

- **C-262, *An Act to ensure that the laws of Canada are in harmony with the United Nations Declaration on the Rights of Indigenous Peoples***
Status: Died in the Senate

The AFN was **supportive** of this legislation, including participation as witnesses in [House of Commons' committees](#) once.

This bill would have demonstrated a serious commitment to reconciliation and would have forced Canada to use a nation-to-nation approach to governance. This bill was extremely contentious and was deliberately stalled on the Senate floor (this bill was given limited time for discussion as it was a private members bill as opposed to a government bill). The major point of contention focused around the need for “free, prior, and informed consent” on infrastructure projects. There was also pushback regarding the notion that a piece of legislation that realizes the goals of the United Nations erodes Canadian sovereignty. During the 2019 federal election, the Liberal party (who went on to win the election with a minority government), the New Democratic Party and the Green Party all committed to legislation on the UN Declaration in the Rights of Indigenous Peoples. The Liberal party made a similar promise in 2015 prior to the election.