



## ENVIRONMENT

### OVERVIEW

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Relying upon the leadership and recommendations 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 First Nations' self-determination and jurisdiction within the context of the natural environment. The 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 ACE teleconference call. Recently, the Chiefs-in-Assembly declared a global climate emergency, necessitating immediate and transformative action via Resolution 05/2019 – *Declaring a First Nations Climate Emergency*.

### UPDATE

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#### 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 most recently in Ottawa at the Wabano

Center on October 1 and 2, 2019. Quarterly meetings are ongoing.

The Environment Sector is also preparing to support AFN leadership's participation in the upcoming UN Conference of the Parties (COP 25), focused on climate change, in Madrid, Spain, where the newly established Indigenous Peoples' Platform (IPP) will be a central focal point for ongoing Indigenous advocacy.

With respect to Resolution 05/2019, *Declaring a First Nations Climate Emergency*, the Environment Sector, with support from the ACE, is developing an AFN National Climate Strategy to breathe life into a First Nations "climate lens" for climate action. This will be

discussed at an upcoming climate gathering in Whitehorse, Yukon, March 3-4, 2020.

### **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 has included the creation of the 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 Ministers on the application and implementation of the Act. The FNACSAR met for its seventh time in June 2019. Recent efforts of the FNACSAR have begun to focus on further considerations and key contributions regarding the newly proposed Pan-Canadian Approach to Transforming Species at Risk Conservation. The FNACSAR is working to determine how best to amplify and support First Nations leadership in this new Pan-Canadian Approach model.

The Environment Sector 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 Environment Sector participated in last year's UN Conference of the Parties (COP 14), on the CBD, 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. These discussions will continue at the intersessional meetings of the CBD scheduled for Nov 18 – 29, 2019, in Montreal, QC, leading to the next COP in 2020, in China.

### **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 was 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.

Bill C-68 received Royal Assent on June 21, 2019, and came into force on August 28, 2019. Opportunities for First Nations involvement in regulatory and policy development are ongoing.

### **Indigenous Protected and Conserved Areas (IPCA)**

Working as part of Canada's Pathway to Canada Target 1 (the Pathway) 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 on-going leadership role within this process. The Pathway initiative, now in its second or "implementation" phase, includes significant funding opportunities for First Nations-based conservation (e.g., implementing IPCAs). This work has been informed by 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, and the establishment of an IPCA Working Group.

Under the ACE Committee, this IPCA Working Group is expected to carry-out 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".

The Environment Sector hired a National IPCA Coordinator, in June 2019, to support these efforts, which has included the establishment of a core secretariat to guide on-going activities.

### Environmental Health

The Environment Sector has created a new Environmental Health position to support a growing body of environmental health issues, including food security, nutrition, health, and contaminants. This position was filled in the early summer, with an initial focus on the hosting of the First Nations Food, Nutrition and Environment Study (FNFNES) National Forum (November 5-6, 2019), and the launching of a new 10 year study, in partnership with several universities, entitled the Food, Environment, Nutrition, and Health of First Nations Children and Youth (FEHNCY) study.

## NEXT STEPS

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The following events are confirmed to take place in the remaining months of the 2019-2020 fiscal year led by the AFN Environment Sector:

- Advisory Committee on Climate Action and the Environment (ACE) meeting, December 2, 2019, Ottawa, ON
- Joint Committee on Climate Action (JCCA) Meeting, January 30-31, 2020, Ottawa, Ontario
- First Nations Advisory Committee on Species at Risk, January 2020 (TBC)
- National Climate and Environment Gathering, March 3-4, 2020, Whitehorse, Yukon