



BC ASSEMBLY OF FIRST NATIONS

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Prince George, BC V2K 5S3
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BCAFN ANNUAL GENERAL MEETING

October 28, 29 & 30, 2025

Hybrid - In person & online via Zoom

Resolution 36/2025

SUBJECT: CALL FOR SUBSTANTIAL INCREASE IN INVESTMENTS FOR FIRST NATIONS-LED CLIMATE ACTION, ECOSYSTEMS AND WATERSHED PROTECTION

Moved by: KUKPI7 ROSANNE CASIMIR, T̓KEMLÚPS TE SECWÉPEMC

SECONDED BY: DEPUTY CHIEF HARLAN SCHILLING, DAYLU DENA COUNCIL

DECISION: CARRIED

WHEREAS:

- A. First Nations hold inherent and constitutionally protected title and rights to their lands, waters, and resources, which cannot be delegated, overridden, or bypassed by federal or provincial governments;
- B. The United Nations Declaration on the Rights of Indigenous Peoples (the UN Declaration), the most important and comprehensive international human rights instrument for eliminating human rights violations against Indigenous Peoples worldwide, affirms:

Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development

Article 18: Indigenous peoples have the right to participate in decision-making in matters which affect their rights through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions;

Article 19: States shall consult and cooperate in good faith with the Indigenous peoples

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concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them;

Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26 (1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. (2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

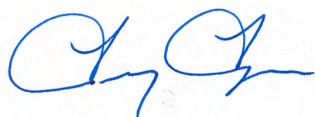
Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 29 (1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

Article 32: (1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources. (2): States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development or exploitation of mineral, water or other resources.

- C. the Government of British Columbia (BC) enacted the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) in 2019. Canada passed the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UN Declaration Act) in 2021. Both legislations require the Crown governments, in consultation and cooperation with Indigenous peoples, to take all measures necessary to ensure the laws of BC and Canada are consistent with the UN Declaration;
- D. in British Columbia, Bill 14, the *Renewable Energy Projects (Streamlined Permitting) Act* and Bill 15, the *Infrastructure Projects Act*, received Royal Assent on May 29, 2025, to expedite the review and approval of renewable energy and other major infrastructure projects by streamlining regulatory processes and allowing for exemptions from the standard environmental assessment process;
- E. In Canada, Bill C-5, the *One Canadian Economy Act*, received Royal Assent on June 6, 2025. This Act enacts the *Free Trade and Labour Mobility in Canada Act* and the *Building Canada Act*, aiming to

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remove federal barriers to internal trade and labour mobility, expedite national interest projects, and improve domestic productivity;

- F. Bills 14, 15 and C-5 (the Acts) were developed hastily and without the consultation and cooperation of First Nations in BC and Canada. This approach directly contravenes Articles 18 and 19 of the UN Declaration and Sections 3 and 5 of the Declaration Act and the UN Declaration Act, BC's Interim Approach and goals and priorities outlined in the UN Declaration Act Action Plan, including:

Action #32. Develop guidance on engaging with Indigenous peoples on natural resources projects, that aligns with the UN Declaration, including article 32(2), which calls for consultation and cooperation in good faith with the Indigenous peoples concerned in order to obtain free, prior and informed consent, prior to the approval of any project affecting their lands or territories and other resources; provides practical recommendations for successful free, prior and informed consent; supports the integration of specific, localized knowledge held by Indigenous peoples in the design and governance of projects implementation, and informs improved and enhanced engagement processes with Indigenous peoples on natural resources projects;

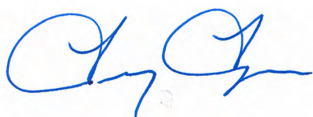
Action #33. Develop and implement actions to increase the economic participation of Indigenous peoples and their communities in natural resource development.

Action #34. Work in consultation and cooperation with First Nation governments and organizations to (i) enhance the participation of Indigenous peoples in, and (ii) set the measures that could enable them to exercise federal regulatory authority in respect of, projects and matters that are currently regulated by the Canada Energy Regulator (CER).

Action #51: The Impact Assessment Agency will implement the *Impact Assessment Act* (IAA) in a way that aligns with the objectives and spirit of the UN Declaration. This includes: Carrying out impact assessments in a manner that emphasizes the need to seek free, prior, and informed consent;

- G. the Acts have the potential to significantly impact First Nations' inherent and constitutionally recognized title, rights and Treaty rights, both in their application and intended outcomes. Notably, the Acts do not contain binding requirements for consultation and cooperation with First Nations during the project designation or approval stages, nor do they establish a consent-based decision-making process;
- H. many First Nations in BC and Canada have raised concerns with the Acts, including the rushed nature of their development. The Union of BC Indian Chiefs (UBCIC) Chiefs Council and the First Nations Summit (FNS) Chiefs-in-Assembly condemned the Bills and called on BC and Canada to withdraw them immediately;
- I. as greenhouse gas emissions continue to rise globally, further global warming is expected, leading to more extreme climatic events such as heatwaves, heavy precipitation, wildfires, floods, droughts, and disruptions in the global water cycle. First Nations feel first-hand the devastating effects of the climate and ecological crises;

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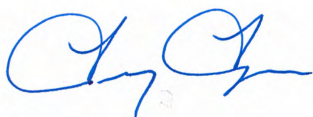
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- J. despite the escalating environmental and climate emergency, BC continues to fail to meet climate commitments and targets. The 2024 Climate Change Accountability Report indicates that BC is not currently on track to meet its 2030 GHG reduction targets (40% reduction of GHG emissions below 2007 levels by 2030). Projections under the current policy landscape show that only a 20-21% reduction will be achieved by 2030, leaving BC far from the net-zero goal;
- K. the cumulative effects of accelerated industrial development, resource extraction, and weak regulatory frameworks in BC have significantly harmed wildlife habitats, water sources, and ecosystem functions, negatively impacting the well-being and ways of life of First Nations, as shown in the 2021 *Yahey v. British Columbia* court case. Expediting carbon-intensive and environmentally detrimental projects through the provincial *Streamlined Permitting Act*, the *Infrastructure Act*, and the federal *Building Canada Act* risks exacerbating this situation province-wide;
- L. various episodes of environmental disasters such as the Mount Polley Mine Tailings Dam Breach (August 2014) and the Nathan E. Stewart spill (October 2016) demonstrate that the Crown's environmental and enforcement mechanisms and regulations are weak and lack transparency. These systemic issues have allowed major environmental degradation to persist across multiple industries, with a disproportionate impact on First Nations;
- M. First Nations and our ways of life are particularly vulnerable to environmental degradation and climate impacts, and yet are consistently under-funded by governments. The right to self-determination and the right to the conservation and protection of the environment are clearly articulated in Articles 3 and 29 of the UN Declaration. The realization of the right to self-determination and the need for environmental stewardship requires First Nations to have stable, flexible and long-term financing;
- N. BCAFN Resolution 06/2021 and 07/2021 urges the Provincial and Federal Governments to recognize and affirm First Nations inherent rights to manage and protect our waters and to seek the free, prior and informed consent with all First Nations rightsholders on matters related to water legislation, policy, strategies and action plans and provide adequate and sustainable resources for First Nations communities to meaningfully contribute to these initiatives;
- O. BCAFN Resolution 06/2022 endorses the First Nations Climate Strategy and Action Plan (BC FN Climate Strategy). Pathway Capacity and Leadership, Theme 2.3 aims to ensure First Nations communities obtain the financial resources needed to continually build climate capacity and develop their own self-determined climate responses; and
- P. BCAFN Resolution 05/2025 endorses the recommendations presented in the BC First Nations Climate Leadership Agenda Final Report entitled, "*From Vision to Action: Advancing BC First Nations Climate Leadership*". Recommendation 3.1 calls on the government of Canada to provide core legislated funds for a minimum of 10 years to create a BC First Nations Climate Fund.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly urge the governments of Canada and British Columbia to acknowledge the current ecological and climate emergency First Nations face and to honour the laws and

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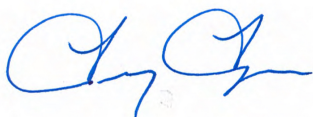


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commitments made that safeguards protection of First Nations title, rights and Treaty rights, including the right to a clean environment and a just climate future, reflected in Article 25 and 29 of the *United Declaration on the Rights of Indigenous Peoples* (UN Declaration);

2. The BCAFN Chiefs-in-Assembly directs the Regional Chief and BCAFN to work with the Union of BC Indian Chiefs and the First Nations Summit, as the First Nations Leadership Council (FNLC), to call on Provincial and Federal Government to invest significantly in First Nations-led climate action and capacity building, ecosystems and watershed protection and restoration, and in alignment with the UN Declaration;
3. The BCAFN Chiefs-in-Assembly directs the Regional Chief and BCAFN to work with the FNLC to ensure that any legislation, policy, regulation, and project approval process that may impact First Nations' lands, waters and ecosystems, governance and water stewardship responsibilities, and climate priorities, is co-developed with First Nations title and rights holders as mandated in Section 3 of the Declaration Act and Section 5 of the UN Declaration Act, and in alignment with related action plans measures. Such initiatives must recognize and uphold First Nations' inherent and constitutionally protected Title, Rights, and Treaty Rights, and must be designed and implemented considering the role of First Nations governments, knowledge systems and laws;
4. The BCAFN Chiefs-in-Assembly directs the Regional Chief and BCAFN to work with the FNLC to advocate for strengthening environmental and enforcement mechanisms and regulations aimed at protecting the ecological integrity of ecosystems, watersheds and microclimatic systems that sustain human and non-human lives and First Nations' ways of life; and
5. The BCAFN Chiefs-in-Assembly call the governments of Canada and British Columbia to respect First Nations' processes of law development, and uphold First Nations land, environment and water laws when developing and implementing Crown legislation, policies and regulations related to industrial development, natural resource extraction, clean energy, conservation and climate mitigation and adaptation.

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