BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
October 14, 15 & 16, 2026
In person & online via Zoom

Resolution 18/2026

SUBJECT:	**CALL ON CANADA TO IMMEDIATELY HALT THE ADVANCEMENT OF BILL C-39, "BUILDING CANADA STRONG ACT"**
MOVED BY:	**KÚKWPI7 ROSANNE CASIMIR, TK'EMLÚPS TE SECWÉPEMC**
SECONDED BY:	**CHIEF HARLAN SCHILLING, DAYLU DENA COUNCIL (LIARD FIRST NATION)**
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, delegated agencies or advisory bodies;

B. the *One Canadian Economy Act* (Bill C-5) received Royal Assent on June 6, 2025, which enacts the *Free Trade and Labour Mobility in Canada Act* and the *Building Canada Act*, with the objective to remove federal barriers to internal trade and labour mobility, expedite national interest projects, and improve domestic productivity;

C. on September 21, 2026, the federal government introduced Bill C-39 *An Act respecting certain measures to strengthen the economy* or *Building Canada Strong Act* (BCSA), into parliament. Part 1 and Part 2 of this omnibus bill is intended to further accelerate federal approval for major projects in alignment with two Discussion Papers released by the federal government in May

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2026, entitled “Getting Major Projects Built in Canada” and “Strengthening One Canadian Economy through Trade and Transportation”;

D. the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the federal government has adopted without qualification and has, alongside the provincial government, passed legislation committing to implement, affirms:

> **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 Indigenous Peoples 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 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 32(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, utilization or exploitation of mineral, water or other resources;

E. the BCSA and associated Cabinet Directive propose over 50 amendments to federal legislation, most notably to the *Impact Assessment Act*, *Building Canada Act*, *Species at Risk Act*, *Canadian Navigable Waters Act, Canadian Energy Regulator Act, Canadian Environmental Protection Act,* and *Fisheries Act,* which has the potential to significantly impact First Nations’ inherent, constitutionally protected and Treaty and Aboriginal rights, title, and jurisdiction and are contrary to Crown constitutional, legislative, and environmental obligations and commitments;

F. both the House and the Senate have struck new committees whose sole responsibility will be to study the BCSA. In accordance with the House of Commons Procedures and Practice, legislative committees’ mandates are “restricted to examining and inquiring into the bill referred to them

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by the House and presenting a report on it, with or without amendments. They are not empowered to consider matters outside the provisions of the bill, nor can they submit comments or recommendations in a substantive report to the House";

G. the BCSA, which stands to have significant impacts on First Nations' rights, title and interests, was not co-developed or endorsed by rights and title holders. Moreover, the federal government's attempt to fast-track the bill to Royal Assent will limit First Nations' meaningful participation in the parliamentary process;

H. the federal government's advancement of the BCSA without fulfilling Canada's legal obligations to consult and, where appropriate, accommodate, impacted rights and title holders contravenes the federal government's constitutional obligations and the honour of the Crown;

I. the federal and provincial governments are actively prioritizing and resourcing the unilateral advancement and approval of major resource projects by committing increased financial and human resources to accelerate major projects on the same lands where historical claims remain unresolved, while at the same time cutting funding and resources to specific claims and reconciliation processes, in turn widening the gap between resources for development and resources for redress;

J. BCAFN has undertaken a legal analysis and prepared a Submission to the House and Senate Committees studying BCSA, which calls for amendments to the bill in alignment with the *United Nations Declaration on the Rights of Indigenous Peoples*; and

K. The BCAFN Chiefs-in-Assembly unanimously passed Resolution 39/2025 entitled, "Call for the Repeal of Federal and Provincial Fast-Tracking Legislation," which rejects the *Building Canada Act* and calls for its repeal.

THEREFORE BE IT RESOLVED THAT:

1. the BCAFN Chiefs-in-Assembly call on Prime Minister Carney to immediately halt the advancement of the *Building Canada Strong Act*, and consult with Title and Rights holders to co-develop future and existing legislation related to major projects in a manner consistent with the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Declaration on the Rights of Indigenous Peoples Act*;

2. the BCAFN Chiefs-in-Assembly call on the federal government to fulfill its judicially recognized constitutional obligations and the honour of the Crown, including consulting and, where appropriate, accommodating Title and Rights holders before proceeding with any legislative, policy or regulatory amendments intended to accelerate federal approvals for major projects which may adversely affect First Nations' inherent, constitutionally protected rights, and Treaty

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rights;

3. the BCAFN Chiefs-in-Assembly direct the Regional Chief to work with like-minded leadership and organizations, to call for the rejection and repeal of Bill C-39 should it be fast-tracked through the Parliamentary process and receive Royal Assent in the absence of the federal government fulfilling its constitutional and legal obligations to First Nations, including providing meaningful opportunities for co-development with Title and Rights holders and full alignment with the UN Declaration;

4. The BCAFN Chiefs-in-Assembly call on the federal and provincial governments to immediately halt the advancement of major resource projects where requested by a First Nation, pending a complete, transparent, and independent review of all outstanding and backlogged historical claims, claims in negotiations – including land back negotiations – and claims in research and development across the province; and

5. the BCAFN Chiefs-in-Assembly support and endorse BCAFN's legal analysis of the *Building Canada Strong Act* for submission to the House and Senate Committees responsible for studying Bill C-39.

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