

8. First Nations Leadership in Challenging Corporate Practices that Cause Greenhouse Gas Pollution

Many First Nations people in Canada find themselves on the front lines of the climate change struggle, as they oppose oil sands and coal extraction projects in their own backyards.

Wendy Lerat and Sue Deranger addressed the Citizen Hearings in a joint presentation. Wendy shared observations from First Nations elders she has sought advice from. They recognize that life is sacred, she said, and that: “we are at a point where it is the global climate crisis that threatens our life”.

Wendy shared with those present that we need to find a common direction to address climate change. Many communities are already being critically affected, she said. “This is the hour for action.”

Sue Deranger noted that Aboriginal people have a different way of knowing climate change, because they are close to the land, and they are seeing the effects on the land, and on animal migration and patterns of behaviour. It is important that society incorporate the knowledge and perceptions of First Nations people in order to successfully address climate change.

Building on this theme, Wendy Lerat observed that Aboriginal people across the world are part of the land, and “like the land have suffered institutional oppression”. We are struggling to see past all the obstacles we face under the guise of economic development, she said.

Sue Deranger pointed to Fort Chipewyan, Alberta, as one example of that struggle. Since the development of the oil sands industry, the community of Fort Chipewyan has seen a very worrisome increase in cancer, and their whole way of life is being changed. The “carbon deals” of the oil sands industry increasingly leave us “homeless” in our own community Sue said. Many residents are trying to resist the oil sands industry, but they are also victims of it.

Sue Deranger and Wendy Lerat observed that under the UN Declaration of Indigenous Rights, First Nations people have the right to be a fundamental part of the decision making process on matters related to economic development and climate change. “We are at a place of reawakening”, they said. “We must stand with allies who seek system change and harmony with all life forms”.

Sue and Wendy advised the Commissioners that tackling climate change will require a deep commitment from community members. We need to find different ways of engaging the voices of people in order to build a global network of solidarity on the climate issue, they said.

It is critically important to engage local community voices. **“Grass roots voices must drive the climate change engagement process”, they said.**

Wendy Lerat and Sue Deranger also emphasized the importance of enforcing the treaties between First Nations and the Government of Canada. Enforcement of the treaties can be an important vehicle for achieving change, including better protection of the environment. The original intent of the treaties, they said, was to promote friendship and peace, to live under the natural laws, never to use what is below the depth of the plough, never to take up arms, to be able to live side by side in harmony together. “We are all children of the Earth; we need to respect all voices, and respect and love Mother Earth”, Wendy and Sue concluded.

Janelle Pewapsconias of Little Pine First Nation elaborated on the issue of enforcing treaties in her presentation to the Hearings, in the context of discussing water sovereignty rights. Janelle noted that section 35 (1) of the Canadian Constitution recognizes the existence of Aboriginal and treaty rights. **In order to exercise its rights**

under the Canadian constitution, a First Nations band must have a continuous relationship to the land in question.

Janelle Pewapsconias explained that under section 91 (24) of the British North America Act First Nations have the expectation of the fiduciary obligation of Canada, as well as strengthened rights that stem from inherent rights. (Fiduciary duty is the obligation of the government to protect First Nations lands and waters as a result of the agreement, which was a nation to nation agreement.) Treaties made a declaration that all rights to the land and waters were surrendered, but she is of the view that **the inherent right of governance, management and use of the land and waters was never surrendered.**