



**ASSEMBLY OF FIRST NATIONS
PRESS RELEASE/COMMUNIQUÉ
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**ASSEMBLY OF FIRST NATIONS WELCOMES SUPREME COURT RULING ON
CARBON PRICING LEGISLATION**

(Ottawa, ON) – Assembly of First Nations (AFN) National Chief Perry Bellegarde welcomes yesterday’s Supreme Court of Canada decision on the *Greenhouse Gas Pollution Pricing Act*, urging all levels of government to respect First Nations rights, title, and jurisdiction and responsibilities to traditional territories in its implementation.

“Environmentalists and economists agree that putting a price on pollution is the most effective way to address climate change, and I welcome this decision as a way to help curb the impacts of climate change in our territories and across the country,” said AFN National Chief Perry Bellegarde. “The recognition by the Supreme Court’s in its decision that climate change causes significant harm in the Canadian Arctic, on coastal communities and on Indigenous peoples is important. First Nations are often the first to feel the harmful effects of climate change. I reiterate the need for provincial and territorial governments to work together with First Nations as leaders in climate action to identify meaningful and effective solutions to address the impacts of climate change on our communities, infrastructure, ways of life and well-being.”

The Supreme Court of Canada ruled March 25 that the *Greenhouse Gas Pollution Pricing Act* (GGPPA) is constitutional. The decision comes after Ontario, Saskatchewan and Alberta challenged the GGPPA legislation since it was first implemented in 2019 (ON and SK) and 2020 (AB). The provinces argued that the Act’s two-tiered carbon pricing was unconstitutional and undermined provincial authority over natural resources.

The AFN, based on direction from the Chiefs-in-Assembly, intervened in this case, as well as court cases in Saskatchewan, Ontario and Alberta, arguing the Government of Canada has a direct legal obligation to recognize Aboriginal and Treaty rights in any legislative efforts to address climate change.

“The impact of Climate Change is felt everywhere, especially in the north,” said AFN Yukon Regional Chief Kluane Adamek, Chair of the AFN Advisory Committee on Climate

Action and the Environment. “First Nations require immediate actions and rights based approaches. While we embrace these efforts to mitigate the damage of greenhouse gas emissions, we stand firm that First Nations rights, title, and jurisdiction over their traditional territories is paramount when considering carbon pricing, and by extension climate solutions. First Nations have been leaders in proposing transformative strategies for environmental protection. We must ensure that following this Supreme Court ruling, implementation and enforcement of the GGPPA will respect First Nations jurisdiction, title and rights as stewards of the land.”

AFN Chiefs-in-Assembly, through Resolution *103/2017: Carbon Pricing Regimes* mandates AFN to develop innovative solutions to the unique circumstances of First Nations, including the possibility of revenue recycling mechanisms that minimize the disproportionate effects of carbon pricing on First Nations. In Resolution *09/2018: Develop First Nations-Specific Solutions for the Green House Gas Pollution Pricing Act*, Chiefs – in – Assembly reaffirmed these calls, in addition to the need for financial support for First Nations to explore the implications and opportunities of carbon pricing on their territories, including their participation in the clean energy economy.

The AFN is the national organization representing First Nation peoples in Canada. Follow AFN on Twitter at @AFN_Updates.

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