



UNION OF BC INDIAN CHIEFS

OUR LAND IS OUR FUTURE

June 17, 2025

The Senate of Canada

Ottawa Ontario

Via: clerk-greffiere@sen.parl.gc.ca

RE: Resolution 2025-24 “Opposition to Bill C-5, *An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act*, and Call for Coordinated First Nations Response”

Dear Senate of Canada:

We are writing with respect to Union of B.C. Indian Chiefs (UBCIC) Resolution 2025-24 “Opposition to Bill C-5, *An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act* and Call for Coordinated First Nations Response” which was presented and endorsed unanimously at the UBCIC Chiefs Council on June 11, 2025 (enclosed). Given that we have not been afforded an opportunity to make a presentation before the Senate, we are providing this letter and Resolution 2025-24 to the Senate as our submission.

By Resolution 2025-24, the UBCIC Chiefs Council firmly opposes Bill C-5 in its current form and calls on the Government of Canada to immediately withdraw it. Bill C-5 poses a serious threat to the recognition and implementation of First Nations' inherent and Aboriginal rights, title, and jurisdiction by overriding regulatory processes and sidelining the requirement for meaningful consultation and cooperation with First Nations to obtain their free, prior, and informed consent, as required by the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the UN Declaration Act.

The Resolution further urges the Government of Canada to engage in full and meaningful consultation and cooperation with First Nations before adopting Bill C-5 or similar legislation, and calls on it to ensure such engagement is supported by sufficient federal funding to enable First Nations-led participation and decision-making, in line with the Government of Canada's legislative, constitutional, and international legal obligations.

To this end, the UBCIC will collaborate with the First Nations Summit, B.C. Assembly of First Nations, Assembly of First Nations, and other like-minded Indigenous organizations to develop and implement a national strategy to oppose Bill C-5. This strategy will include legal, political, and public advocacy measures.

We welcome the opportunity for further dialogue on this matter.

On behalf of the UNION OF BC INDIAN CHIEFS

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UNION OF BC INDIAN CHIEFS

OUR LAND IS OUR FUTURE

Grand Chief Stewart Phillip
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Chief Don Tom
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CC: UBCIC Chiefs Council

Encl: UBCIC Resolution 2025-24

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 11TH – 12TH, 2025

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2025-24

RE: Opposition to Bill C-5, *An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act*, and Call for Coordinated First Nations Response

WHEREAS the government of Canada has introduced Bill C-5, An Act to enact the Free Trade and Labour Mobility in Canada Act and the Building Canada Act, which is aimed at accelerating the approval and construction of large-scale resource and infrastructure projects by streamlining regulatory processes and enabling the government of Canada to deem certain projects as being “in the national interest”, and subsequently those projects would effectively receive “up-front” approval;

WHEREAS Bill C-5 would grant the government of Canada sweeping powers to override existing federal regulatory processes and substitute a single ministerial “conditions document” in place of full environmental assessments, provincial collaboration, and meaningful consultation and cooperation with First Nations in order to obtain their free, prior, and informed consent;

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

Article 19: States shall consult and cooperate in good faith with the indigenous peoples 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 programs for indigenous peoples for such conservation and protection, without discrimination;

WHEREAS Bill C-5 poses a direct threat to the recognition and implementation of First Nations' inherent and Aboriginal rights, title, and jurisdiction by effectively allowing federal override of regulatory processes without meaningful consultation and cooperation with First Nations in order to obtain their free, prior, and informed consent, and may result in diminished environmental safeguards and infringements on First Nations lands and governance; and

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UN Declaration Act) affirms the UN Declaration as a universal international human rights instrument with application in Canadian law, and obligates the government of Canada to take all measures necessary to ensure that the laws of Canada are consistent with the UN Declaration, but as currently conceived Bill C-5 would violate both the UN Declaration Act and the UN Declaration.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council firmly opposes Bill C-5 in its current form and calls on the government of Canada to immediately withdraw it;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council urges the government of Canada to engage in full and meaningful consultation and cooperation with First Nations in order to obtain their free, prior and informed consent prior to adopting Bill C-5 or legislation like Bill C-5, as required by the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) and the *United Nations Declaration on the Rights of Indigenous Peoples Act*;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive and staff to work with the First Nations Summit, B.C. Assembly of First Nations, Assembly of First Nations and other like-minded Indigenous organizations to develop and implement a national strategy to oppose Bill C-5, including legal, political, and public advocacy measures; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls for any further engagement on Bill C-5 or legislation like Bill C-5 to be carried out in consultation and cooperation with First Nations to ensure it is consistent with the UN Declaration, contingent on the provision of sufficient federal funding support for First Nations-led participation and decision-making.

Moved: Judy Wilson, Osoyoos Indian Band (Proxy)
Seconded: Councillor Jen Charlie, Cowichan Tribes (Proxy)
Disposition: Carried
Date: June 11, 2025