



CHIEFS COUNCIL

RESOLUTION #17-22-01-2025

MATAWA CHIEFS' COUNCIL REJECTION OF THE TRANSPORTATION OF DANGEROUS GOODS AND HAZARDOUS SUBSTANCES THROUGH THE MATAWA TERRITORIES AND HOMELANDS (NUCLEAR WASTE)

WHEREAS, the Matawa member First Nations are the Indigenous Rights Holders in the Matawa homelands and territories; and

WHEREAS, the Matawa Chiefs Council have been monitoring current practice for the transportation of dangerous goods and hazardous substances by rail and transport through the Matawa territories and homelands, including the transport of nuclear waste to the anticipated Ignace/Wabigoon Lake First Nation *Deep Geological Repository (DGR) for Canada's Used Nuclear Fuel Project* currently under a project assessment (Reference #88774¹) being conducted by the Impact Assessment Agency of Canada (IAAC); and

WHEREAS, the Nuclear Waste Management Organization (NWMO) *Preliminary Transportation Plan* (December 2021²) states that there are 8 interim storage facilities in southern Ontario that will be requiring the transport of an estimated 5,500,000 used nuclear fuel bundles to the Ignace site; and

WHEREAS, there will be new increased production of used nuclear fuel under the Province of Ontario's \$1 billion investment in the development of small modular reactors (SMRs)³ that may be located in remote or rural industrial or mining sites across Ontario and requiring transport to the Ignace DGR site; and

WHEREAS, the IAAC project assessment does not include in its scope the transportation plan required for the new NWMO Ignace/Wabigoon Lake First Nation DGR facility, and the new increased used nuclear fuel from potentially remote or rural SMR sites; and

WHEREAS, the potential highway and rail routes for possible transportation of the used nuclear waste fuel bundles passes directly through or near-adjacent to Matawa member First Nations.

THEREFORE, BE IT RESOLVED that the Matawa Chiefs Council reject the Nuclear Waste Management Organization (NWMO) Ignace/Wabigoon Lake First Nation Deep Geological Repository (DGR) project as the required transportation of dangerous goods and hazardous substances through the Matawa territories and homelands poses a significant danger to our First Nation communities, members and environment in the case of a disaster; and

¹ <https://iaac-aeic.gc.ca/050/evaluations/proj/88774>

² <https://www.nwmo.ca/-/media/Reports-MASTER/Corporate-reports/2021-Preliminary-transportation-plan.ashx>

³ <https://news.ontario.ca/en/release/1006638/ontario-investing-1-billion-to-build-small-modular-reactors-at-darlington>





CHIEFS COUNCIL

THEREFORE, BE IT RESOLVED that the Matawa Chiefs Council call upon the Impact Assessment Agency of Canada (IAAC) to redesign its project assessment (Reference #88774) to include a First Nation approved transportation plan and address the increased SMR used nuclear fuel bundles now anticipated - to truly align, incorporate and assess Ontario's evolving nuclear energy plan, and;

THEREFORE, BE IT RESOLVED that the Matawa Chiefs Council require better IAAC Crown consultation transparency, engagement, information and planning resources to ensure that the Indigenous Rights and Interests of our First Nations are part of the decision-making and approval of this project including free, prior and informed consent, and;

FINALLY, BE IT RESOLVED that the Matawa Chiefs Council reject the Impact Assessment Agency of Canada process at this time, and that the Matawa Chiefs Council support the resolutions adopted by the Assembly of First Nations (Resolution 52/2023), Chiefs of Ontario (Resolution 25/33S) and Nishnawbe Aski Nation (Resolution 22/13) and call for First Nations across Ontario and Canada must be broadly informed of the significant and legitimate safety concerns that the Matawa member First Nations are raising.

MOVED BY: Chief Sonny Gagnon, Aroland First Nation
SECONDED BY: Chief Solomon Atlookan, Eabametoong First Nation
OPPOSITION(S): None
ABSTENTION(S): None
CARRIED: Quorum (6)



Chief Executive Officer

Assembly of First Nations

55 Metcalfe Street, Suite 1600
Ottawa, Ontario K1P 6L5
Telephone: 613-241-6789 Fax: 613-241-5808
www.afn.ca



Assemblée des Premières Nations

55, rue Metcalfe, Suite 1600
Ottawa (Ontario) K1P 6L5
Téléphone: 613-241-6789 Télécopieur: 613-241-5808
www.afn.ca

ANNUAL GENERAL ASSEMBLY
JULY 11, 12, & 13, 2023; HALIFAX, NS

Resolution no. 52/2023

TITLE: Securing Accountability of Nuclear Technology, Waste, Transport and Storage

SUBJECT: Water, Environment, Emergency Management

MOVED BY: Chief Byron Louis, Okanagan Indian Band, BC

SECONDED BY: Judy Wilson, proxy, Osoyoos Indian Band, BC

DECISION Carried by Consensus

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:

- i. 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.
- ii. Article 29 (2): States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
- iii. 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.

B. First Nations have been stewards of the land, waters and their environment since time immemorial, have an unbreakable and sacred connection to Mother Earth that considers the health, wellbeing and sustainability of all living things for seven generations into the future.

Certified copy of a resolution adopted on the 13th day of July 2023 in Halifax, Nova Scotia

JOANNA BERNARD, INTERIM NATIONAL CHIEF

52- 2023
Page 1 of 4

- C. First Nations disproportionately endure environmental inequality despite that, under the Canadian Charter of Rights and Freedoms, every individual is equal before and under the law, and has the right to the equal protection and equal benefit of the law without discrimination, in particular, without discrimination based on race, national, or ethnic origin, colour, religion, sex, age or mental or physical disability,
- D. Studies have shown that the SMR nuclear fuel cycle may produce more chemically/physically reactive waste which could impact options for management and disposal of waste and could remain radioactive for up to hundreds of thousands of years.
- E. The technical and social challenges associated with the operation of nuclear technology, managing the radioactive waste they generate, and the inherent proliferation and environmental safety risks could impact First Nations rights and interests in perpetuity.
- F. The Canadian Nuclear Safety Commission (CNSC) is the administrative body responsible for regulating nuclear energy in Canada. While CNSC policy reflects a number of established principles in Canadian law regarding the duty to consult and accommodate Indigenous Peoples, it does not fully account for recent developments in the law.
- G. Nuclear technology, including SMRs that operate in one province could have impacts on out-of-province First Nations as:
 - i. There are current proposals in place to research, develop and manufacture fuels at the Canadian Nuclear Laboratories' site in Chalk River for a proposed SMR that will be located in New Brunswick.
 - ii. This will lead to radioactive material being transported throughout regions to support these activities.
 - iii. Spent nuclear fuel will need to be transported and eventually stored of, as all nuclear material eventually degrades into radioactive waste. According to data from Transport Canada, this could potentially impact 435 First Nations with grade level crossings and multiple provincial highways that go through First Nations territories.
 - iv. Spent nuclear fuel may be stored at a proposed deep geological repository (DGR) in Ontario, whereas, other radioactive waste, including research and decommissioned material, could be destined for the proposed Near Surface Disposal Facility at Chalk River (NSDF).
 - v. All of these proposed modes of transport for the movement or disposal of nuclear material presents a disproportionate increased risk of loss from accidents that may have generational negative impacts for First Nations.

Certified copy of a resolution adopted on the 13th day of July 2023 in Halifax, Nova Scotia



JOANNA BERNARD, INTERIM NATIONAL CHIEF

- H. In order to accommodate one million cubic metres of legacy and imported spent nuclear fuel from Canadian Nuclear Laboratories, the CNSC is considering licensing a surface storage mound at Chalk River, Ontario. Algonquin Anishinaabeg Nation communities were not consulted on the site selection.
- I. The proposed Near Surface Waste Facility (NSDF) poses serious and irreversible impacts to Indigenous rights and the environment. The site is within 1 kilometer of the Kichi Zibi, on unceded and unsundered Algonquin Anishinaabeg Nation lands. The site is home to 37 hectares of old growth forest and abundant wildlife resources including Federal Species at Risk. Also within 2 kilometres are two sacred Indigenous sites, Pointe au Baptême and Oiseau Rock, which have been associated with naming ceremonies, rock pictographs, and tobacco offerings for centuries.
- J. In light of the proximity of the proposed spent nuclear fuel landfill site to the watershed, Algonquin peoples and Canadian municipalities downstream have strongly objected to the development. If successful, the project may create disproportionate additional environmental impacts from existing and future nuclear waste operations at the site.
- K. The Kichi Zibi and surrounding lands and waterways have experienced cumulative toxic harm from nuclear accidents at the Chalk River site since 1952.
- L. In March 2023, Natural Resources Canada released its final radioactive waste and decommissioning policy. The document ignores input provided from Indigenous nations and civil society over the course of the previous two years.
- M. Current federal laws remove many SMRs, their eventual decommissioning and waste products from mandatory federal impact assessment legislation, a process which serves to test a proponent's claims regarding safety, level of harm or impacts to the environment.
- N. The only institutional check for SMRs in Canada is the Canadian Nuclear Safety Commission. The Commission, whose oversight is provided by Natural Resources Canada, has lobbied for the removal of SMRs from impact assessment.
- O. This policy process is without prejudice to ongoing consultations of other rights-holding communities and/or First Nations.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

- 1. Call on the Government of Canada to fully adhere to the standards of the United Nations Declaration on the Rights of Indigenous Peoples, and the protections under the *Constitution Act*, 1982, where information on the nature, size, pace, reversibility and scope of any proposed nuclear project or expansion are transparently

Certified copy of a resolution adopted on the 13th day of July 2023 in Halifax, Nova Scotia



JOANNA BERNARD, INTERIM NATIONAL CHIEF

disclosed and where an assessment of likely economic, social, cultural and environmental impacts is provided to First Nations, sufficiently in advance of any commencement or authorization of a nuclear project or an expansion.

2. Call on federal, provincial, and territorial governments to ensure that no testing, development, expansion, or deployment of nuclear activities, including SMRs, occur on or near First Nations territories or infringes on First Nations inherent jurisdiction without the free, prior, and informed consent of all First Nations whose lands, territories, and/or other resources may be affected, including via transportation of any spent nuclear fuel.
3. Call for an urgent meeting between the Assembly of First Nations (AFN) and the Government of Canada to address concerns regarding the consultation policy of the Canadian Nuclear Safety Commission as it relates to nuclear waste transport and disposal decision making including, but not limited to the Near Surface Disposal Facility at Chalk River (NSDF).
4. Direct the AFN to continue working with the Regions and Natural Resources Canada to develop a coordinated response to the new radioactive waste and decommissioning policy to include First Nations strategies and mitigation measures to fully conform with, and promote, the implementation of international human rights laws and standards.
5. Direct the AFN to explore avenues for "Eliminating Environmental Inequality" under Section 15 of the Canadian Charter of Rights and Freedoms with respect to consultation and policies related to the nuclear industry.

Certified copy of a resolution adopted on the 13th day of July 2023 in Halifax, Nova Scotia



JOANNA BERNARD, INTERIM NATIONAL CHIEF



**CHIEFS OF ONTARIO
FALL CHIEFS ASSEMBLY
November 18-19, 2025**

**RESOLUTION 25/33S
Page 1 of 4**

SUBJECT: RESOLUTION AGAINST NUCLEAR WASTE TRANSPORTATION AND BURIAL

MOVER: Proxy Kyle Maclaurin, Fort William First Nation

SECONDER: Proxy Mel Hardy, Namaygoosisagun First Nation

DECISION: CARRIED

WHEREAS:

1. Chiefs of Ontario supports all First Nations in Ontario as they assert their sovereignty, jurisdiction, and their chosen expression of nationhood, as articulated in the Chiefs of Ontario “We are the Land” Declaration (2010);
2. In 2024 the Nuclear Waste Management Organization (NWMO) selected the Revell site between Ignace and Dryden in northwestern Ontario as the site for a deep geological repository to store all of Canada’s nuclear fuel waste;
3. In their Reconciliation Policy the NWMO commits to “seeking the free, prior, and informed consent of impacted Indigenous peoples before proceeding with development of a deep geological repository” but are proceeding without having sought or received the consent of many First Nations that could be affected by the proposed repository;
4. First Nations in Ontario have repeatedly expressed their opposition to the transportation and burial of nuclear waste in their territories and on their watersheds, including:
 - a) A 2024 resolution from Grand Council Treaty 3 which declared “a Deep Geological Repository for the storage of nuclear waste will not be developed at any point in the Treaty #3 Territory” (Resolution CA-24-14);
 - b) A 2022 resolution by Nishnawbe Aski Nation opposing NWMO’s proposed transportation and burial of nuclear waste in northern Ontario (Resolution 22/13);
 - c) A 2021 resolution by the Chiefs of Ontario calling for a halt to new nuclear reactor construction, a phase out of nuclear waste generating nuclear power

- plants, and the containment and management of the radioactive wastes in their current location rather than transporting and burying these wastes;
- d) A 2017 Joint Declaration between the Anishinabek Nation and the Iroquois Caucus that opposed the transportation and abandonment of radioactive wastes which was supported by the Chiefs of Ontario; and
 - e) Numerous Band Council Resolutions and public statements from individual First Nations located downstream of the proposed repository site or along potential transportation corridors.
5. Neither the NWMO nor the Crown have sought or received the consent of First Nations along the transportation route for the shipment of radioactive waste through their territory;
 6. In their 2021 *Deep Geological Repository Transportation System Conceptual Design Report Crystalline / Sedimentary Rock*, the NWMO estimated 2-3 shipments per day for a period of fifty years, transporting the high-level nuclear waste by truck from the 5 nuclear reactor stations and the Chalk River nuclear laboratory;
 7. The average distance between the current location of the waste and the proposed Revell site is 1,700 km and the transportation route will put the territories of First Nations in Ontario at serious risk;
 8. The transportation risks include:
 - a) low level emissions of radiation from each transportation shipment under “normal” conditions;
 - b) higher levels of exposure to radiation from the transportation packages when bystanders, passengers in other vehicles or workers are in proximity to the shipments for longer periods of time (such as delays due to traffic congestion, or stoppages due to road construction, road accidents, or road closures due to events such as fire or flooding);
 - c) the risk of significant radiation exposure if a container is breached during an accident
 9. A federal Impact Assessment Process and a licensing process under the Canadian Nuclear Safety Commission is expected to commence in 2026, through which the NWMO will be seeking approval of their project;
 10. Since 2005, the NWMO has described transportation as being part of their nuclear waste project, including in:
 - a) the NWMO’s 2005 *Choosing a Way Forward* report, which set out their recommendations to the federal government for long-term management of nuclear fuel waste, as per the *Nuclear Fuel Waste Act*; and

- b) numerous reports, statements and publications issued by the NWMO between 2005 and 2025.
11. Despite the NWMO's consistent position that transportation is part of the nuclear waste project, in August 2025, the NWMO went on record during a public webinar, announcing their intention to exclude transportation from the upcoming impact assessment process;
 12. NWMO's exclusion of transportation from the impact assessment process contradicts its own position which it has held and publicly shared for the past 20 years;
 13. Transportation is a key concern for the Chiefs of Ontario and for First Nations and communities along the transportation route; and
 14. The project could not be carried out at the NWMO's selected location without transporting the wastes an average of 1,700 kilometres from the reactor stations to the selected location.

THEREFORE BE IT RESOLVED that we, the Chiefs in Assembly:

1. Are opposed to the transportation and burial of radioactive wastes in First Nations territory without free, prior, and informed consent of all of the impacted First Nations, including the transportation of high-level nuclear fuel waste in Ontario.
2. Call upon the responsible federal Ministries to meet with the Nations that are affected and remain opposed.
3. Call upon the federal Crown and its agents, including the IAAC, to ensure that First Nations along potential transportation routes are adequately resourced and supported to participate in all stages of the Impact Assessment and licensing processes, with sufficient technical and administrative capacity to engage its membership, technical experts, and the Crown and its agencies.

Certified Copy of a Resolution dated November 19, 2025

A handwritten signature in blue ink, appearing to read 'Abram Benedict', is positioned above a horizontal line.

Abram Benedict, Ontario Regional Chief



22/13

OPPOSITION TO NUCLEAR WASTE MANAGEMENT ORGANIZATION'S PROPOSED DEEP GEOLOGICAL REPOSITORY

WHEREAS Nishnawbe Aski Nation (NAN) drafted a written submission to the Federal Environmental Assessment Panel on the Atomic Energy of Canada Limited's Nuclear Fuel Waste Disposal Concept which outlined NAN's concerns regarding the disposal of nuclear waste in NAN First Nation territory;

WHEREAS NAN passed Resolution 95/36: *High Level Nuclear Waste Disposal Concept* and Resolution 96/08: *Proposed Nuclear Fuel Waste Management and Disposal Concept Hearings* which strongly oppose the disposal of nuclear waste in NAN First Nation territory without active involvement in the federal and provincial government's processes;

WHEREAS Resolution 05/57: *Nuclear Waste Free Zone* declared NAN communities and lands a "Nuclear Waste Free Zone", and Resolution 09/88: *Nuclear Waste Free Zone and the Nuclear Waste Management Organizations Nine-Step Site Selection Process* stated NAN's opposition to the Nuclear Waste Management Organization's site selection process due to many process concerns, including the lack of consultation and consent to the storage of nuclear waste in NAN First Nation territory;

WHEREAS the Nuclear Waste Management Organization (NWMO) is proposing a Deep Geological Repository (DGR) near Ignace, Ontario, without consent from NAN communities;

WHEREAS the location of the proposed DGR site is within the primary watershed of the Nelson River and secondary watershed of the English River, both flowing north into Hudson's Bay, through NAN territory;

WHEREAS members of NAN have serious concerns about the potential negative environmental impacts during transport of nuclear waste from seven nuclear reactor sites located in Ontario, Quebec, and New Brunswick, and during the repackaging process, which would put nuclear waste in the storage containers to be stored underground at the proposed DGR site;

WHEREAS a DGR that handles high-level nuclear waste of this nature has not been approved or become operational anywhere else in the world due to numerous health and safety risks, and the inability to actively monitor the waste once underground;

WHEREAS it is generally accepted that nuclear waste should be stored as near to its place of origin as possible, to eliminate the exporting of problems to other regions, and to make sure waste can be continuously monitored;



RESOLUTION 22/13: OPPOSITION TO NUCLEAR WASTE MANAGEMENT ORGANIZATION'S PROPOSED DEEP GEOLOGICAL REPOSITORY

WHEREAS there are alternative approaches to managing nuclear waste that do not pose the same threats to people and the environment as burying nuclear waste underground;

THEREFORE BE IT RESOLVED that NAN Chiefs-in-Assembly vehemently oppose the NWMO's concept of a DGR near Ignace, Ontario, due to many health and safety concerns, the potential for devastating impacts to the environment, and the lack of consent from NAN communities and members;

FURTHER BE IT RESOLVED that Chiefs-in-Assembly mandate the NAN Executive Council to take action to prevent the NWMO, the Government of Canada, and the Government of Ontario, from placing any nuclear waste in NAN traditional territories, including the formation of a Chiefs and Technical Action Committee, civil protests, the consideration of any form of legal action (starting with a cease-and-desist declaration or letter), and any other appropriate measures;

FINALLY BE IT RESOLVED that an action plan must be implemented within the next three months that respects the rights of our First Nations, and must be conditional upon the free, prior and informed consent of the NAN First Nations.

DATED AT TIMMINS, ONTARIO, THIS 10TH DAY OF AUGUST 2022.

MOVED BY: Chief Wayne Moonias, Neskantaga First Nation
SECONDED BY: Chief Ramona Sutherland, Constance Lake First Nation
DECISION: **CARRIED**


Grand Chief Derek Fox

Wade Lindley
Deputy Grand Chief

