



Windsor Law
University of Windsor



Kawaskimhon (Aboriginal) Moot, March 2026
University of Windsor, Faculty of Law
Initial Fact Pattern

Canada's Bill C-5 or now known as the "*One Canadian Economy Act*," passed in June 2025. Part 2 enacted the *Building Canada Act* (BCA) whose purpose is to consider the interests of Canada's economic growth, sovereignty, and security—including energy security. The Prime Minister has said it is necessary to urgently advance national projects of national interest, including in the North, that connect regions, strengthen trade and economic corridors, and expand natural resource and energy development. Prime Minister Carney has commented that the purpose of the legislation is a response to address the tariff threats from the United States and that it will fast-track major "National Interest Projects" (NIPs) like energy, critical minerals, and clean energy, aiming to boost economic growth, security, and jobs by streamlining approvals, creating a new Major Projects Office, and reducing federal decision timelines to two years while respecting Indigenous rights and environmental standards.

Simultaneously, Bill 5, officially titled the *Protect Ontario by Unleashing our Economy Act, 2025*, is provincial legislation enacted by Ontario on June 5, 2025. It was introduced with the stated aim of accelerating economic development, particularly in the mining and critical-minerals sectors, and of making Ontario more attractive for investment and job creation by cutting regulatory "red tape" and streamlining review and permitting processes for major projects.

An Invitation

A gathering of Indigenous and non-Indigenous peoples is necessary to start discussions on the collective impacts across Turtle Island using distinct Indigenous Legal Orders. Indigenous Nations representatives, knowledge holders, and legal counsel are invited to a council fire at The Dish with One Spoon¹ to discuss Bill C-5's impact across Turtle Island. The Dish with One Spoon Treaty was forged between the Anishinaabe Three Fires

¹ The Dish with One Spoon Wampum: Lessons of Sharing and Respect, 2023.
<https://grandmothersvoice.com/the-dish-with-one-spoon-wampum-lessons-of-sharing-and-respect/>

Confederacy and the Haudenosaunee Confederacy prior to European contact: the city of Windsor Ontario is located within this treaty.

The gathering will be guided by Anishinaabe law protocols and ceremony, including a sacred fire and giving gifts. Space will also be made for all Indigenous legal orders and invitees are encouraged to share legal practices and protocols during the gathering.

The purpose of the gathering is to engage with and collaborate between and across Indigenous legal orders. The following are some examples of topics that may prove useful for discussion at the negotiation tables: relationships with land and water, decision-making processes, law protocols, ceremony, rights and responsibilities, Indigenous knowledge, land-based practices, Free Prior and Informed Consent and international Indigenous rights and self-determination, and Indigenous treaty relationships.

Securing and discussing adequate funding for implementation initiatives will take place at a future gathering.

In addition to an invitation to attend the Dish with One Spoon gathering, invitees are provided the link to Bill C-5 and Bill 5 and is mandatory to read as it is the vital document that impacts all Indigenous nations, peoples and parties.

<https://www.canada.ca/en/one-canadian-economy/services/building-canada-act-projects-national-interest.html>

[Bill 5, Protect Ontario by Unleashing our Economy Act, 2025 - Legislative Assembly of Ontario](#)

A summary of the Federal Bill C-5 is as follows:

The Building Canada Act was introduced as part of Bill C-5, the One Canadian Economy Act, and received Royal Assent on June 26.

Canada needs to use all the tools at its disposal to get major projects built; projects that will help Canada become the strongest economy in the G7, deepen our trade relationships with reliable partners, and create good Canadian jobs.

The Building Canada Act enables the government to streamline federal approval processes to get major projects built faster. These projects – including ports, railways, energy corridors, critical mineral developments, and clean energy initiatives – will better connect our economy, diversify our industries, access new markets, and create high-paying careers, while protecting Canada’s rigorous environmental standards and upholding the rights of Indigenous Peoples.

Investors, provinces and territories, and the business community have been vocal that it is too difficult and takes too long to build economically feasible projects in Canada. Provinces

and territories and many Indigenous Peoples want to see critical infrastructure projects advance in support of their interests and priorities.

Through the Building Canada Act, the government will expedite projects deemed in the national interest, by streamlining federal review and approval processes to increase regulatory certainty, helping attract capital, strengthening our industries, and moving towards greater sovereignty and resilience while respecting Indigenous rights and protecting the environment.

A summary of Ontario's Bill 5 is as follows:

On June 5, the province of Ontario enacted Bill 5, Protect Ontario by Unleashing our Economy Act, 2025 into law. Bill 5 enacts, amends, and repeals several statutes that play a role in planning, approving, and delivering infrastructure projects in Ontario.

The province's stated objective with Bill 5 is to protect Ontario's economy from the impact of existing and threatened tariffs on Canadian goods by accelerating the delivery of critical mineral and energy projects across Ontario, together with the supporting infrastructure for such projects. Bill 5 amends or enacts 10 statutes, including the Mining Act, the Electricity Act, 1998, the Ontario Energy Board Act, 1998, and the Rebuilding Ontario Place Act, 2023.

This update highlights the impacts on infrastructure projects of implementing a new Special Economic Zones Act, 2025, phasing out the Endangered Species Act, 2007 and implementing the Species Conservation Act, 2025, and amending the Ontario Heritage Act resulting from Bill 5's coming into law.

Once the hosts receive information about who is attending the gathering and what legal orders will be represented at the gathering, regional tables focused on specific waterways and legal orders will be established and region-specific fact scenarios will be distributed to all those participants attending the gathering.

****Note that although this fact pattern is inspired by the *One Canadian Economy* (Canada), *Protect Ontario by Unleashing our Economy Act* (Ontario), First Nation lands, names and facts have been changed for the purpose of the exercise. Students are instructed to limit themselves to the fact patterns and refrain from consulting the actual discussions ongoing in Canadian news and social media, etc.