

# FIRST NATIONS LEADERSHIP COUNCIL

## BRIEFING NOTE

TO: BC First Nations  
FROM: First Nations Leadership Council  
DATE: November 2025  
RE: Key Issues for FNLG Chiefs Caucus

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### PURPOSE

To inform a strategic discussion among BC First Nations leadership at the Chiefs' Caucus prior to the First Nations Leadership Gathering (FNLG) by describing a set of key issues and priorities of relevance to First Nations-provincial relationships.

### CONTEXT

First Nations have been advancing shared agendas and priorities collectively with the Province over many years, including processes such as the New Relationship and the Commitment Document (and Concrete Actions), as well as through direct and court action. These efforts have resulted in changes in legislation, policy, funding, and more.

In recent years, these change efforts have been reinforced and supported by the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) which was passed unanimously in November 2019. Some change highlights include:

- Establishment of the [Interim Approach](#) to guide the Province in its obligation to: "In consultation and cooperation with the Indigenous peoples in British Columbia...take all measures necessary to ensure the laws of British Columbia are consistent with the Declaration."
- Conclusion of the inaugural 5-year [Declaration Act Action Plan](#) with 89 actions and 33 outcomes in four theme areas, with progress on key aspects such as the civil litigation directive, a Distinctions Based Approach primer, and more.
- Achievement of some progress in alignment of laws (e.g. Interpretation Act, Health Professions & Occupations Act, Emergency Disaster Management Act, Child, Family, and Community Services Act).
- Establishment of the Declaration Act Secretariat and recruitment of Indigenous-exclusive positions.
- Identification of some initial funding through the Declaration Act Engagement Fund.

While there have always been tensions and challenges in this work, these have intensified over the past year. The Province, and country as a whole, are facing fiscal pressures. There is a rise in anti-Indigenous racism and undermining of First Nations title and rights. The legislative agenda and major projects have been accelerated, without proper respect for title and rights and disregard of Declaration Act obligations.

The Chiefs Caucus event is an opportunity to discuss these and other priority issues and develop shared strategies, messaging, and approaches to advance collectively with the Province and Cabinet Ministers.



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## **STRATEGIC ISSUES**

The following are some of the key strategic, cross-cutting issues and challenges that First Nations leadership have observed as related to the Province-First Nations relationship and implementation of the Declaration Act. Within each, relevant challenges and needs are identified to support the key messaging of our leadership.

Overall, the key theme is that work under the Declaration Act is regressing in conjunction with a rise in anti-Indigenous and anti-title and rights public sentiment.

### ***Consultation and Cooperation and Consistency with the UN Declaration***

Contrary to the Declaration Act and Interim Approach, legislative alignment initiatives are driven by the Province's priorities with increasingly aggressive timelines and preclude any semblance of consultation and cooperation, and without efforts to ensure consistency with the UN Declaration. Major pieces of land and resource legislation related to energy, major projects, and permitting have been pushed through quickly and regulations pursuant to this legislation is similarly fast-tracked, while related joint UN Declaration consistency processes have been paused. These have major implications for title and rights, environmental sustainability, and economic opportunity for First Nations, without First Nations involvement.

Key messages:

- The Province has a legal obligation to develop legislation that is consistent with the standards of the UN Declaration.
- In accordance with the UN Declaration and guided by the Interim Approach, the Province is required to consult and co-operate with Indigenous peoples in order to obtain their free, prior, and informed consent, before undertaking certain actions.
- The Province must recommit to the Interim Approach.
- The Province must provide appropriate opportunities for meaningful consultation and cooperation, particularly on legislation with significant implications for title and rights.
- First Nations require core, permanent funding to support consultation and cooperation.

### ***Section 6 and 7 Agreements***

Reconciliation requires the meaningful coexistence and coordination of jurisdictions and worldviews, which is only provided through proper respect for and space for First Nations' jurisdiction and decision-making. Real on-the-ground change pursuant to the Declaration Act has been impeded by the Province's unilateral and self-serving interpretations of sections 6 and 7 of the Declaration Act. The Province is taking a statute-by-statute approach to enabling agreements, rather than making these tools broadly available across all provincial decision-making functions, or even across "sectors" as it originally proposed. A very small number of statutes have been amended to enable these agreements, and a small number Nations have successfully negotiated them. This piecemeal approach has resulted in public backlash and suspicion such as with the Province's since-abandoned proposal to amend the Land Act.

Key messages:

- On-the-ground change requires immediate and comprehensive action to enable section 6 and 7 agreements.

## ***Fiscal Relationship***

There is a comprehensive relationship between title and rights and rights to revenue. Work on the new fiscal framework has come to a halt. Yet at the same time, the Province continues to take the position that it cannot negotiate various agreements until the “new fiscal framework” is developed, delaying and obscuring progress that is long overdue. Most recently, messaging has indicated that any new fiscal models must not result in any reduction of “provincial revenue”.

Key messages:

- The development of new, principled, and revitalized fiscal relations between First Nations and the Province is integral to advancing real reconciliation, advancing redress, supporting self-determination and self-government, and building greater social, cultural and economic well-being for First Nation people and all British Columbians.
- The Province and First Nations need a co-developed government-to-government fiscal framework that is based on recognition and implementation of title and rights.
- The new fiscal framework must move beyond “revenue sharing” to substantive discussions on how to incorporate and address the inescapable economic component of First Nations’ title and incorporate our economic worldviews and definitions into how economic decisions are made in this province.

## ***Racism***

Racism has real consequences on the lives of First Nations people and often results in early death. Anti-First Nations racism is pervasive in society and its systemic and interpersonal harms are well-studied and documented. First Nations have endorsed a multitude of studies and recommendations to demonstrate how to report on racism, how to conduct racism reports, and to describe measures needed to address racism.

As global, national, and provincial politics shift to the right, there is a rise in anti-Indigenous racism and backlash against First Nations title and rights, with political leaders at the forefront of leveraging this sentiment for political gain.

Key messaging:

- Cabinet members owe a particular duty to show leadership in understanding and respecting First Nations title and rights.
- The Province’s emerging Anti-Racism Act Action Plan must recognize the unique forms of anti-First Nations racism and their inextricable connection to colonialism, and address growing denialism and pushback against title and rights.
- The multitude of reports, studies, and recommendations that have been endorsed by the Province and First Nations must be implemented.

## **Conclusion**

This briefing note is intended to support shared strategy and messaging among BC First Nations leadership at FNLG – the plenary sessions, breakout sessions, and one-on-one meetings with Ministers – on matters of shared need, frustration, and opportunity. Greater

cohesion among ourselves can accelerate change and prevent the regression we are observing in our shared agenda.