



BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road
Prince George, BC V2K 5S3
Website: www.bcafn.ca

BCAFN 17th ANNUAL GENERAL MEETING

November 17 & 18, 2020

Online via Zoom

Resolution 07/2020

SUBJECT: IMPLEMENTATION OF DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT

MOVED BY: KUKPI7 JUDY WILSON, NESKONLITH INDIAN BAND

SECONDED BY: CHIEF LEE SPAHAN, COLDWATER INDIAN BAND

DECISION: CARRIED

WHEREAS:

- A. We are sovereign Indigenous Nations with the right to protect and manage, and derive social, cultural and economic benefits from the wealth of our lands, waters and resources;
- B. The United Nations Declaration on the Rights of Indigenous Peoples ("UN Declaration") was adopted by the General Assembly in September 2007, after more than 20 years of discussions. The UN Declaration is the most comprehensive, universal international human rights instrument explicitly addressing the economic, social, cultural, political, spiritual and environmental rights of Indigenous Peoples;
- C. The UN Declaration, which the government of Canada has adopted without qualification, and has, alongside the government of BC, committed to implement, affirms:
 - I. Article 1: Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law;

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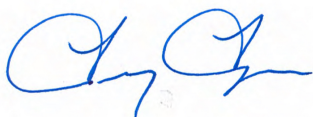
Terry Teegee, BC Regional Chief

- II. Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity; and
- D. By Resolution 08/2019, the BCAFN Chiefs-in-Assembly supported the development of a provincial legislative framework for the implementation of the UN Declaration, and directed the Regional Chief, working with the Union of BC Indian Chiefs and the First Nations Summit as the First Nations Leadership Council, to call on government of BC to engage with Indigenous Peoples through a meaningful and substantive process and create a legislative framework for the unqualified implementation of the UN Declaration;
- E. On November 28, 2019, Bill 41 Declaration on the Rights of Indigenous Peoples Act (the Declaration Act) received Royal Assent;
- F. The Declaration Act establishes the UN Declaration as the framework for reconciliation and requires the provincial government to: ensure that new and existing laws are consistent with the UN Declaration; develop and implement an action plan in consultation and cooperation with Indigenous peoples to achieve the objectives of the UN Declaration; and, monitor progress through public annual reporting. The Declaration Act also enables new decision-making agreements between the Province of BC and Indigenous governing bodies;
- G. Efforts have been underway jointly between the First Nations Leadership Council and the Province of BC to advance the implementation of the Declaration Act, including engagement with First Nations Organizations and conducting analysis and working group processes to advance the alignment of laws and the development of the action plan;
- H. The Province of BC continues to advance legislation that is not consistent with its obligations under the Declaration Act and needs to be aligned with the UN Declaration; and
- I. Progress has been slow to meaningfully undertake consultation and cooperation with BC First Nations and conclude the Declaration Act action plan that was intended to be complete prior to the end of the calendar year.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly direct the Regional Chief to remind the Province of BC that the Declaration on the Rights of Indigenous Peoples Act ("Declaration Act") places a positive

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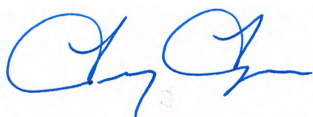


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obligation on the Attorney General and Government of British Columbia to ensure that all laws, policies and practices in British Columbia be brought in alignment with the UN Declaration in consultation and cooperation with Indigenous peoples;

2. The BCAFN Chiefs-in-Assembly direct the Regional Chief to oppose the Province of BC's introduction of any legislation that has not been reviewed for alignment with the UN Declaration in consultation and cooperation with Indigenous peoples, as consistent with the Declaration on the Rights of Indigenous Peoples Act;
3. The BCAFN Chiefs-in-Assembly direct the Regional Chief to work with the Union of BC Indian Chiefs (UBCIC) and the First Nations Summit (FNS) as the First Nations Leadership Council (FNLC), and with the Province of BC to immediately identify and implement reforms to the legislative process to ensure that all new and amended legislation is aligned with the UN Declaration and, wherever possible, enable implementation of shared decision-making agreements described in section 7 of the Declaration Act; and
4. The BCAFN Chiefs-in-Assembly direct the Regional Chief to work with the UBCIC and FNS as the FNLC, and with the Province of BC to urgently develop a draft Declaration Act action plan that reflects the input and direction by BC First Nations that reflects the mandates provided by BCAFN through resolutions, through input provided at the BCAFN 17th AGM, the "Summary of Advice from First Nations Organizations for Implementation of the Declaration on the Rights of Indigenous Peoples Act," and any additional submissions from BC First Nations; and
5. The BCAFN Chiefs-in-Assembly direct the Regional Chief working with the UBCIC and FNS as the FNLC to convey to the Province of BC that the draft Declaration Act action plan will not limit, undermine, detract or veto any ongoing reconciliation work or existing or future treaties, agreements and other constructive arrangements that may be entered into by Indigenous governing bodies and recognize the importance of involvement of Indigenous Governing Bodies associated with Government-to-Government (G2G) agreements in the Action Plan including exploring with BC the development of DRIPA regulations to enable DRIPA implementation through G2G Agreements.

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A handwritten signature in blue ink, appearing to read 'Terry Teegee', is written over a horizontal line.

Terry Teegee, BC Regional Chief