



BC ASSEMBLY OF FIRST NATIONS

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

BCAFN ANNUAL GENERAL MEETING
September 14, 15 & 16, 2021
Online via Zoom

Resolution 26/2021

SUBJECT: SUPPORT FOR SAIK'UZ BIODIVERSITY AND IMMEDIATE MEASURES

MOVED BY: KUKPI7 FRED ROBBINS, ESK'ETEMC

SECONDED BY: CHIEF TOM NELSON, QUATSINO FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. Saik'uz First Nations (Saik'uz) is seeking support from the BC Assembly of First Nations Chiefs-in-Assembly in its call to the Provincial Government for the protection of the "Immediate Measures" areas on an interim basis until Saik'uz and other Carrier Sekani First Nations, conclude a Resource Management Planning process;
- B. as part of the Pathway Forward 2.0 Agreement between the Province of BC, Burns Lake, Nadleh Whuten, Nak'azdl Whut'en, Saik'uz First Nation, Stelat'en First nations, Takla First and Tl'azt'en Nation and the Carrier Sekani Tribal Council "immediate measures" is defined as:

4.13: A measure of good faith and as part of the step-wise approach to reconciliation that the Parties have adopted, the Reconciliation Table and/or the sub tables will, during the Term, continue to discuss and negotiated immediate measure to enhance ongoing reconciliation of Carrier Sekani and Crown titles,

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rights and interests in the Territories, subject to BC and the CSFNs taking steps in good faith to seek and obtain any mandates required to do so.”

- C. The *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualifications, and has, alongside the government of BC committed to implement, affirms:

Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5: Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully;

Article 15: (2) States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

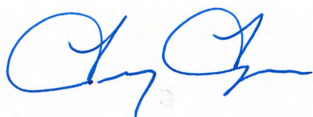
Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

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

Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

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. (3) States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with

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due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

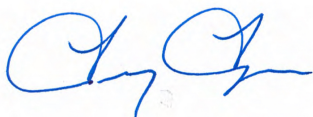
Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of 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;

- D. on November 28, 2019, Bill 41 *Declaration on the Rights of Indigenous Peoples Act* ("the Declaration Act") received Royal Assent in the British Columbia Legislature which establishes the UN Declaration as the framework for reconciliation and provides for the minimum standards of the UN Declaration to be met by the Provincial government, including the principle of free, prior and informed consent;
- E. Licensees and the Province must obtain the free, prior and informed consent before proceeding with any forestry activities that occur in Saik'uz territory; and
- F. Saik'uz and the Province must immediately co-develop rehabilitation and restoration projects in Saik'uz territory to address the unjustified infringement of Saik'uz Aboriginal Rights and Title that have occurred due to industrial forestry activities without Saik'uz free, prior and informed consent.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly support Saik'uz in its call for the protection of Immediate Measures areas to prevent further biodiversity loss and serious environmental risk into the future;
- 2. The BCAFN Chiefs-in-Assembly fully support Saik'uz in upholding its jurisdiction over its territory and the need for free, prior and informed consent before industrial activities and development can occur in Saik'uz territory; and
- 3. The BCAFN Chiefs-in-Assembly call on the Provincial Government to co-develop restoration and rehabilitation projects in collaboration with Saik'uz in a matter that promotes and respects joint-decision making, as well as Aboriginal Rights, Title and interests.

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