



# BC ASSEMBLY OF FIRST NATIONS

## BCAFN Annual General Meeting

Online via Zoom

September 14, 15 & 16, 2021

## RESOLUTIONS LIST

NUMBER	NAME
20/2021	ADOPTION OF THE 2020-2021 AUDITED FINANCIAL STATEMENTS
21/2021	APPOINTMENT OF AUDITOR
22/2021	CALL FOR INDEPENDENT INVESTIGATION AND REPORT INTO INDIGENOUS-SPECIFIC RACISM AND DISCRIMINATION IN PROVINCIAL PUBLIC EDUCATION SYSTEM
23/2021	SUPPORT FOR CORE AND CAPACITY FUNDING FOR FIRST NATIONS-MANDATED POST-SECONDARY INSTITUTES
24/2021	SUPPORT FOR THE DEVELOPMENT OF A BC FIRST NATIONS REGIONAL ACTION PLAN FOR DISASTER RISK REDUCTION
25/2021	IMPLEMENTATION OF THE <i>DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT</i> - ACTION PLAN AND ALIGNMENT OF LAWS
26/2021	SUPPORT FOR SAIK'UZ BIODIVERSITY AND IMMEDIATE MEASURES
27/2021	SUPPORTING ANTI-RACISM LEGISLATION AND FRAMEWORK
28/2021	WOMEN AND 2SLGBTQQIA+ DIALOGUE SESSION RECOMMENDATIONS
29/2021	"WHAT WE HEARD" REPORT ON MMIWG2SLGBTQQIA+
30/2021	DEMANDING JUSTICE AND ACCOUNTABILITY FOR THE MISSING AND UNIDENTIFIED CHILDREN OF RESIDENTIAL SCHOOLS
31/2021	A BC FIRST NATIONS CENTRE OF EXCELLENCE FOR ECONOMIC DEVELOPMENT



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

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

**Resolution 20/2021**

**SUBJECT: ADOPTION OF THE 2020-21 AUDITED FINANCIAL STATEMENTS**

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**MOVED BY: CHIEF BILLY YOVANOVICH, SKIDEGATE**

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**SECONDED BY: KUKPI7 WAYNE CHRISTIAN, SPLASTIN**

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**DECISION: CARRIED**

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**WHEREAS:**

- A. KPMG LLP was appointed through Resolution 01/2020 to act as BCAFN's auditor for a term of one year;
- B. KPMG LLP has prepared and presented an independent auditors' report for the 2020-2021 fiscal year to the Chiefs-in-Assembly.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly hereby adopt the 2020-2021 Audited Financial Statements as presented at the BCAFN 18th Annual General Meeting of September 14, 15 & 16, 2021.

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**Terry Teegee, BC Regional Chief**



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

**Resolution 21/2021**

**SUBJECT: APPOINTMENT OF AUDITOR**

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**MOVED BY: CHIEF MAUREEN LUGGI, WET'SUWET'EN FIRST NATION**

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**SECONDED BY: CHIEF BEVERLY JOHN, TL'AZT'EN FIRST NATION**

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**DECISION: CARRIED**

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**WHEREAS:**

- A. Section 11.4 of the BC Assembly of First Nations' Constitution and Bylaws requires the members to appoint an auditor to hold office until the auditor is re-elected or a successor is elected at the next annual general meeting; and
- B. KPMG LLP was the auditor for the BC Assembly of First Nations during the 2020-2021 fiscal year.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly hereby appoint KPMG LLP as the auditor for the BC Assembly of First Nations to hold office until the auditor is re-elected or a successor is elected at the next annual general meeting.

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

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

**Resolution 22/2021**

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**SUBJECT:** CALL FOR INDEPENDENT INVESTIGATION AND REPORT INTO INDIGENOUS-SPECIFIC RACISM AND DISCRIMINATION IN PROVINCIAL PUBLIC EDUCATION SYSTEM

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**MOVED BY:** JAYDE CHINGEE, MCLEOD LAKE FIRST NATION, PROXY

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**SECONDED BY:** CHIEF GREG LOUIE, AHOUSAHT FIRST NATION

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**DECISION:** CARRIED

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**WHEREAS:**

- A. In June 2020, the B.C. Minister of Health launched an independent review into Indigenous-specific racism in the provincial health care system and empowered this Review to examine data, undertake key informant interviews, conduct surveys and document cases brought forward by Indigenous peoples and health care workers;
- B. On November 30, 2020, a final report entitled, *In Plain Sight* was released that described necessary pathways of change and 11 findings and 24 recommendations affirming the existence and impacts of racism against Indigenous peoples in health care in BC, and author Dr. Mary Ellen Turpel-Lafond stated that a number of comments and complaints about racism in the provincial public education system came forward during the process and recommended that the Minister of Education convene a similar investigation and report;

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

Article 14: 1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning. 2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination. 3. States shall, in conjunction with Indigenous peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15:1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information. 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;

- D. In the 2015 Audit of the Education of Aboriginal Students in the BC Public School System, the Auditor General described “racism of low expectations” in BC public schools toward Indigenous students based on “preconceptions or biases stemming from social attitudes,” and the report stated that a potential indicator of the racism of low expectations is that “Aboriginal students were almost twice as likely as non-Aboriginal students to complete courses that limit their options for entry to post-secondary education. As a result, those students may need to take additional courses to upgrade, should they choose to attend post-secondary institutions, at a cost to themselves and/or their First Nation.” The report also pointed out the “lack of leadership” within the provincial system to address this;
- E. This racism is evident in data for Indigenous students which shows persistent gaps in education outcomes between Indigenous and non-Indigenous students, including:

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Terry Teegee, BC Regional Chief

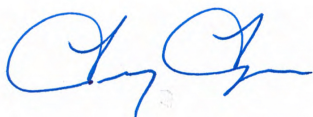
- a. The 5-year high school completion rate of 47% for Indigenous students on-reserve in BC public schools is a stark example of racism against Indigenous peoples in BC.
  - b. Indigenous students comprise 40% of all students in Alternate Programs and young Indigenous learners are over-represented among recipients of the Adult Graduation Diploma.
  - c. Only 61% of surveyed Grade 7 Indigenous students reported that they felt safe at school all of the time or many times, and 15% of Indigenous respondents said they were bullied, teased or picked on.
- F. Events in recent months have increased awareness of the need to prioritize redressing and ending racism, including within schools and communities, and in order to effectively eradicate systemic racism and discrimination, we need a report, grounded in current data like the *In Plain Sight* report that will provide a clearer picture of the nature, scale, and scope of racism, support a comprehensive strategy to address racism and discrimination within the provincial public education system, and inform the development of programs and services to support students in their understanding and tolerance of diversity;
- G. Systemic and interpersonal racism and discrimination must be addressed and eliminated to uphold Indigenous human rights, to create safer learning environments for Indigenous students in public schools, to succeed in the implementation of the Declaration Act, and to fulfill the objectives of the UN Declaration in the context of education, taking a distinctions-based approach that ensures that the unique rights, interests and circumstances of Indigenous peoples in BC are acknowledged, affirmed, and implemented as required by section 35 and committed in the *Principles Respecting the Province of British Columbia's Relationships with Indigenous Peoples*; and
- H. The First Nations Education Steering Committee has consistently advocated for systemic changes to address ongoing and persistent racism and discrimination experienced by First Nation learners in the provincial public school system.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly fully support the First Nations Education Steering Committee in its continued advocacy for systemic changes to address ongoing and persistent racism and discrimination experienced by First Nation learners in the provincial public school system;

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2. The BCAFN Chiefs in Assembly call on the Province of British Columbia to commission an independent and distinctions-based investigation and report into systemic and Indigenous-specific racism and discrimination in the K-12 and post-secondary provincial public education system, similar to the *In Plain Sight* report into racism in the BC public health system, in order to:
- a. draw attention to systemic discrimination and need to eliminate anti-Indigenous racism occurring within the BC public education system, and
  - b. support the identification of measures to eliminate such racism and discrimination and to uphold the minimum human rights standards in the *United Nations Declaration on the Rights of Indigenous Peoples*, as mandated under the *Declaration Act on the Rights of Indigenous Peoples*.
  - c. The results of the report lead to an implementation plan to be co-developed with First Nations

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Terry Teegee, BC Regional Chief



## BC ASSEMBLY OF FIRST NATIONS

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**BCAFN 18<sup>th</sup> ANNUAL GENERAL MEETING**  
**September 14, 15 & 16, 2021**  
**Online via Zoom**

**Resolution 23/2021**

**SUBJECT: SUPPORT FOR CORE AND CAPACITY FUNDING FOR FIRST NATIONS-MANDATED POST-SECONDARY INSTITUTES**

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**MOVED BY: CHIEF GREG LOUIE, AHOUSAHT FIRST NATION**

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**SECONDED BY: CHIEF DONNA ALJAM, NICOMEN INDIAN BAND**

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**DECISION: CARRIED**

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**WHEREAS:**

- A. First Nations-mandated post-secondary institutes are established and controlled by a First Nation or group of First Nations and deliver post-secondary programs.
- B. The First Nations Education Steering Committee (FNESC) and the Indigenous Adult and Higher Learning Association (IAHLA), under the direction of British Columbia First Nations, are developing a British Columbia First Nations Tripartite Post-Secondary Education Model ("the PSE Model"), one of the pillars of which is the provision of ongoing, core funding for First Nations-mandated post-secondary institutes.
- C. First Nations-mandated post-secondary institutes support the inherent rights of First Nations to self-determination and self-government, including First Nations control of First Nations education. These inherent rights are recognized in section 35 of the *Constitution Act, 1982* and the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) and the *Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples*.

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- D. First Nations-mandated post-secondary institutes play a unique and critical role in the post-secondary education system in British Columbia by providing programming that is relevant and responsive to the needs of their communities and increasing First Nations students' participation and success in post-secondary education.
- E. First Nations-mandated post-secondary institutes play a key role in the revitalization of First Nations languages and cultures by providing access to accredited First Nations language and culture programming in First Nations communities across British Columbia.
- F. First Nations-mandated post-secondary institutes do not have access to ongoing core and capacity funding and have had to rely on proposal-based funding in order to complete their important work in First Nations post-secondary education.
- G. The Nicola Valley Institute of Technology is currently the only publicly funded and recognized First Nations-controlled post-secondary institute in British Columbia.
- H. The Province of British Columbia is exploring the expansion of the Aboriginal Service Plan funding to all 25 BC public post-secondary institutions, and the FNEC Board has called upon the Province of British Columbia to identify ongoing core funding for First Nations mandated institutes prior to increasing funding to the public post-secondary system for Indigenous education initiatives.
- I. Over 30 years ago, in its report to the then-Minister of Advanced Education, the BC Provincial Committee on Post-Secondary Education for Native Learners recommended that core funding be provided to existing and developing First Nations post-secondary institutes in BC.
- J. Recommendation 3.5.26 of *Volume 3: Gathering Strength of the Report of the Royal Commission on Aboriginal Peoples* states: "Federal, provincial and territorial governments collaborate with Aboriginal governments and organizations to establish and support post-secondary educational institutions controlled by Aboriginal people, with negotiated allocation of responsibility for
  - (a) core and program funding commensurate with the services they are expected to provide and comparable to the funding provided to provincial or territorial institutions delivering similar services;
  - (b) planning, capital and start-up costs of new colleges and institutes;
  - (c) improvement of facilities for community learning centres as required for new functions and development of new facilities where numbers warrant and the community establishes this as a priority; and
  - (d) fulfilment of obligations pursuant to treaties and modern agreements with respect to education".

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- K. *Aboriginal Post-Secondary Education in British Columbia: A Place for Aboriginal Institutes*, published by FNEC in 2008, recommended that First Nations post-secondary institutes in BC should have access to funding from British Columbia to strengthen their programs and enhance their contributions in an integrated British Columbia post-secondary education system.
- L. In 2012 British Columbia committed to work with Canada to explore mechanisms to mutually support Indigenous post-secondary institutes in the *2012 Aboriginal Post-Secondary Education and Training Policy Framework and Action Plan* (the "Policy Framework"), a commitment that has not yet been fulfilled.
- M. In 2017, in response to a questionnaire from the First Nations Leadership Council, the BC New Democratic Party committed to implement the Policy Framework.
- N. The Province of British Columbia has committed to lasting, meaningful reconciliation with Indigenous peoples and to implement the UN Declaration, which affirms that the establishment and operation of First Nations-mandated post-secondary institutes is a human right:

Article 14

(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.


(2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

(3): States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

- O. The *Declaration on the Rights of Indigenous Peoples Act* requires British Columbia, in consultation and cooperation with the Indigenous peoples in British Columbia, to take all measures necessary to ensure the laws of British Columbia are consistent with the UN Declaration.
- P. In 2017, the Ontario government passed the *Indigenous Institutes Act*, which recognizes the unique and complementary role of Indigenous post-secondary institutes in the Ontario post-secondary education system and commits to providing ongoing, core operating funding for Indigenous institutes.
- Q. In response to a proposal from FNEC and IAHLA to provide ongoing core funding for First Nations-mandated post-secondary institutes, the Ministry of Advanced Education and Skills

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Training has provided \$4 million in one-time core funding to support the core costs of First Nations-mandated institutes and \$750,000 in one-time capacity funding to support activities such as needs assessments, community engagement, program evaluation, institutional planning and partnership development, but has not committed to providing additional core and capacity funding beyond the 2021-22 fiscal year.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly call on British Columbia to immediately provide ongoing core and capacity funding to First Nations-mandated institutes.
2. The BCAFN Chiefs-in-Assembly call on British Columbia to work with FNEC and IAHLA to co-develop legislation that recognizes the unique and critical role of First Nations-mandated post-secondary institutes in the British Columbia post-secondary system and commits British Columbia to providing ongoing core funding for First Nations-mandated post-secondary institutes.

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

**Resolution 24/2021**

**SUBJECT: SUPPORT FOR THE DEVELOPMENT OF A BC FIRST NATIONS REGIONAL ACTION PLAN FOR DISASTER RISK REDUCTION**

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**MOVED BY: CHIEF DONNA ALJAM, NICOMEN INDIAN BAND**

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**SECONDED BY: CHIEF BYRON LOUIS, OKANAGAN INDIAN BAND**

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**DECISION: ABSTENTION: KUKPI7 FRED ROBBINS, ESK'ETEMC  
CARRIED**

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**WHEREAS:**

- A. First Nations must be full and equal partners in all aspects of emergency management decision making, and all phases of emergency management implementation in their territories, as recommended in "Trial by Fire: Nadleh Whut'en and the Shovel Lake Fire Report", the Tsilhqot'in report "The Fires Awakened Us (Nagwedižk'an Gwaneš Gangu Chinidžed Ganexwilagh)" and the Abbott-Chapman report;
- B. The Government of Canada and the Province of British Columbia have adopted the United Nations Sendai Framework on Disaster Risk Reduction as the guiding approach for disaster risk reduction. The *2015-2030 Sendai Framework for Disaster Reduction* states that natural disasters are exacerbated by climate change and are increasing in frequency and intensity. The Sendai Framework also outlines a set of practical recommendations to build a culture of safety and resilience at all levels of government and across society. It calls for a people centered, preventative approach to disaster

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through multi hazard and multi sectoral practices that are inclusive and accessible. Through programming an education, the Sendai framework supports empowerment through nondiscriminatory participation, paying special attention to historically marginalized people who are often disproportionately affected by disasters;

- C. The *2015-2030 Sendai Framework for Disaster Reduction* further states that Indigenous peoples, through their experience and traditional knowledge, provide an important contribution to the development and implementation of plans and mechanisms, including for early warning;
- D. The *2015-2030 Sendai Framework for Disaster Reduction* calls for the creation of Regional Action Plans which is meant to serve as a foundational document, of a non-legally binding nature, that identifies practices and processes to advance implementation of the Sendai Framework for Disaster Risk Reduction 2015–2030 among the Americas;
- E. The *2015-2030 Sendai Framework for Disaster Reduction* has identified the four priority areas in the development of Regional Action Plans as understanding disaster risk, strengthening disaster risk governance to manage disaster risk, investing in disaster risk reduction for resilience and enhancing disaster preparedness for effective response and to “Build Back Better” in recovery, rehabilitation and reconstruction;
- F. The Tripartite Emergency Management Memorandum of Understanding (MOU) was signed in April of 2019 between the UBCIC, BC Assembly of First Nations and the First Nations Summit (working together as the First Nations Leadership Council (“FNLC”)), the Government of Canada (represented by Indigenous Services Canada), and the Government of British Columbia (represented by Emergency Management BC and BC Wildfire Service) outlining a relationship as full and equal partners to establish a collaborative and constructive working relationship through a joint high-level dialogue process that focuses on a mutually developed agenda and Tripartite Emergency Management Working Group;
- G. The FNLC and First Nations Emergency Services Society signed a *Declaration and Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Emergency Services Society of BC in 2009 with the purpose of affirming our intentions to work together in a cooperative manner, and to provide support for one another’s efforts, advance the recognition, respect, and accommodation of Aboriginal title and

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rights, and treaty rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts;

- H. 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 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 and implementing legislative or administrative measures that may affect them.

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

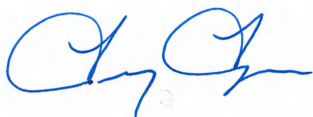
(2): Indigenous peoples have the right to own, use, develop and control the lands, territories, and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

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

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Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources; and

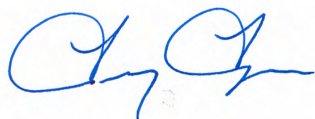
- I. A BC First Nations Regional Action Plan for Disaster Risk Reduction would provide the opportunity to understand disaster risk, strengthen disaster risk governance to manage disaster risk, invest in disaster risk reduction for resilience and enhance disaster preparedness for effective response and to “Build Back Better” in recovery, rehabilitation and reconstruction, including the incorporation of traditional knowledge, inherent rights, jurisdiction and the right to self-determination.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly demand that any Regional Action Plan developed by British Columbia must be done in conjunction with Indigenous peoples and must recognize and uphold our inherent and constitutionally protected Indigenous Title and Rights, and Treaty Rights and be consistent with the historic Supreme Court of Canada’s Tsilhqot’in Nation judgment and the *United Nations Declaration on the Rights of Indigenous Peoples*;
2. The BCAFN Chiefs-in-Assembly direct the BCAFN Regional Chief and staff, working with the First Nations Summit and Union of BC Indian Chiefs Executive, working as the First Nations Leadership Council, develop a BC First Nations Regional Action Plan for Disaster Risk Reduction that will provide opportunity to understand disaster risk, strengthen disaster risk governance to manage disaster risk, invest in disaster risk reduction for resilience and enhance disaster preparedness for effective response and to “Build Back Better” in recovery, rehabilitation and reconstruction;
3. The BCAFN Chiefs-in-Assembly support the development and implementation of a BC First Nations led regional action planning session for disaster risk reduction that will strengthen and facilitate First Nation led implementation of the Tripartite Emergency Management MOU;
4. The BCAFN Chiefs-in-Assembly direct the BCAFN Regional Chief and staff, working with the First Nations Summit and Union of BC Indian Chiefs Executive, working as the First Nations Leadership Council, The Tripartite Emergency Management Working Group and the First Nations Emergency Services Society to prepare a draft BC First Nations Regional Action Plan for Disaster Risk Reduction for review by First Nations in BC that upholds the

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principles of the *United Nations Declaration on the Rights of Indigenous Peoples*, implements the recommendations of the “Trial by Fire: Nadleh Whut’en and the Shovel Lake Fire Report”, the Tsilhqot’in report “The Fires Awakened Us (Nagwedižk’an Gwaneš Gangu Chinidžed Ganexwilagh)” and the Abbott-Chapman report, and is in alignment with the *2015-2030 Sendai Framework for Disaster Reduction*.

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

**Resolution 25/2021**

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**SUBJECT:** **IMPLEMENTATION OF THE *DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT* - ACTION PLAN AND ALIGNMENT OF LAWS**

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**MOVED BY:** **CHIEF JAMES HOBART, SPUZZUM INDIAN BAND**

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**SECONDED BY:** **CHIEF BYRON LOUIS, OKANAGAN INDIAN BAND**

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**DECISION:** **CARRIED**

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**WHEREAS:**

- A. 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 and is the most comprehensive, universal international human rights instrument explicitly addressing the economic, social, cultural, political, spiritual and environmental rights of Indigenous peoples;
- B. 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;
- C. the UN Declaration, which the government of Canada has adopted without qualification, and has, alongside the government of BC, committed to implement, affirms:  
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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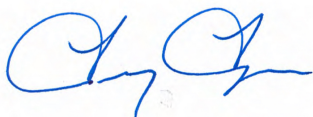
**Terry Teegee, BC Regional Chief**

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;

- D. the Declaration Act establishes the UN Declaration as *the* framework for reconciliation, enabling new decision-making agreements between the Province and Indigenous governing bodies, 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;
- E. informed by dialogue with BC First Nations and First Nations Organizations, and mandated by previous resolutions at each of the UBCIC, BCAFN and FNS assemblies, the First Nations Leadership Council has been working with and informing the efforts of the Province in its obligations under the Declaration Act, including alignment of laws and the development of an action plan;
- F. the Province issued a consultation draft of the Declaration Act action plan on June 11, 2021 for review and input primarily from Indigenous peoples in BC and has opened an online platform to receive this feedback; and
- G. the Province continues to advance legislation that is not consistent with its obligations under the Declaration Act to ensure that legislative initiatives are aligned with the standards set out in the UN Declaration. A report *Taking "All Measures Necessary" to Ensure Laws are Consistent with the United Nations Declaration on the Rights of Indigenous Peoples* issued in April 2021 by the University of British Columbia Indian Residential School Dialogue Centre proposed seven strategies to advance progress in the alignment of laws:
  - 1. A requirement placed on the Attorney General to make a statement of the legislature that a proposed Bill, upon its introduction in the legislature, is consistent with the UN Declaration.
  - 2. Establish a non-derogation clause through the *Interpretation Act* to confirm that all enactments are to be construed as upholding the rights of Indigenous Peoples in both section 35(1) and the UN Declaration, and not abrogating or derogating from them.
  - 3. Establish an advisory committee made up of experts in Indigenous rights, UN Declaration, and constitutional law to provide recommendations to both Indigenous and Crown governments on the development of a process for review of existing laws for consistency, and/or reviewing proposed new laws and providing recommendations on whether they are consistent with the UN Declaration.
  - 4. Upon tabling of a Bill, release a public opinion by an advisory committee or independent legal expert on whether a Bill is consistent with the UN Declaration, and what steps may be taken now or in the future to further advance consistency with regards to that legislation.
  - 5. Establish a joint law review and reform process made up of leading experts, who would undertake to provide recommendations on legal changes to achieve consistency.

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Terry Teegee, BC Regional Chief

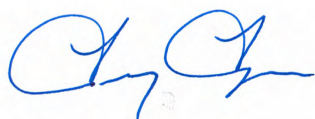
6. Establish a policy on working in partnership with Indigenous Peoples in the legislative development process.
7. Establish new mechanisms and forms of dispute resolution, and approaches to avoid adversarial litigation including a litigation directive similar to that of the federal government and mechanisms such as the use of mediation rosters, the creation of dispute resolution institutions, and the establishment of new oversight and accountability mechanisms.

**THEREFORE BE IT RESOLVED THAT:**

1. the BCAFN Chiefs-in-Assembly reiterates that First Nations in BC have their own Indigenous legal orders and laws and ways of being that take precedence over any provincial laws and processes, and that any First Nations engagement on the provincial for the Declaration Act action plan consultation draft is in no way a substitute for First Nations providing their consent;
2. the BCAFN Chiefs-in-Assembly calls on the Province of British Columbia, in partnership with the UBCIC, BC Assembly of First Nations and First Nations Summit, working collaboratively as the First Nations Leadership Council, to directly engage with Title and Rights Holders on the Declaration Act action plan consultation draft;
3. the BCAFN Chiefs-in-Assembly calls on the Province of British Columbia to confirm how the views and input of Title and Rights Holders and their own Indigenous laws will take priority and precedence in the finalization of the Declaration Act action plan;
4. that the BCAFN Chiefs-in-Assembly calls on the Province of British Columbia to implement immediate interim improvements to ensure that laws planned to be tabled in the fall are consistent with the UN Declaration. These interim improvements must consider the advice described in the report *Taking "All Measures Necessary" to Ensure Laws are Consistent with the United Nations Declaration on the Rights of Indigenous Peoples*; and
5. that the BCAFN Chiefs-in-Assembly calls on the Province of British Columbia, in partnership with the UBCIC, BC Assembly of First Nations, and the First Nations Summit, working collaboratively as the First Nations Leadership Council, to engage with BC First Nations and legal experts on additional measures to ensure that all new and existing provincial laws are consistent with the UN Declaration and are developed in consultation, cooperation and collaboration with BC First Nations.

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

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

**Resolution 26/2021**

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**SUBJECT:** SUPPORT FOR SAIK'UZ BIODIVERSITY AND IMMEDIATE MEASURES

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**MOVED BY:** KUKPI7 FRED ROBBINS, ESK'ETEMC

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**SECONDED BY:** CHIEF TOM NELSON, QUATSINO FIRST NATION

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**DECISION:** CARRIED

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**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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**Terry Teegee, BC Regional Chief**

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.

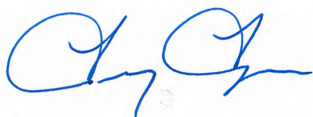
Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting

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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Terry Teegee, BC Regional Chief

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;

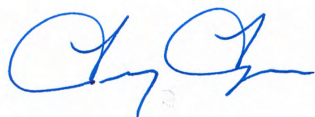
- D. on November 28, 2019, Bill 41 *Declaration on the Rights of Indigenous Peoples Act* ("the Declaration Act") received Royal Assent in the British Columbia Legislature which establishes the UN Declaration as the framework for reconciliation and provides for the minimum standards of the UN Declaration 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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Terry Teegee, BC Regional Chief



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
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Website: [www.bcafn.ca](http://www.bcafn.ca)

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

**Resolution 27/2021**

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**SUBJECT:** SUPPORTING ANTI-RACISM LEGISLATION AND FRAMEWORK

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**MOVED BY:** KUKPI7 FRED ROBBINS, ES'KETEMC

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**SECONDED BY:** CHIEF TOM NELSON, QUATSINO FIRST NATION

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**DECISION:** CARRIED

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**WHEREAS:**

- A. colonialism and Indigenous-specific racism continue to underpin Canadian society, structures, and institutions, creating systems and policies of oppression that undermine the survival, dignity, well-being and safety of Indigenous peoples at both collective and individual levels;
- B. despite current discourse and action around advancing reconciliation, Indigenous peoples continue to experience racism and discrimination – as proven by the continued cases of racial profiling and biased policing that showcase deeply entrenched patterns of colonial violence and intolerance, and by the 2020 [In Plain Sight](#) report on Indigenous-specific racism in BC's health care system, which the BCAFN Chiefs-in-Assembly endorsed through Resolution 01/2021, calling for full implementation of its recommendations to eliminate anti-Indigenous racism from the BC health care system;

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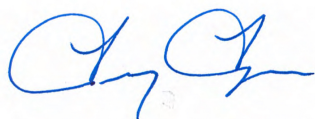
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**Terry Teegee, BC Regional Chief**

- C. the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of BC, committed to implement, affirms, amongst other standards:
- 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, the exercise of their rights, in particular that based on their indigenous origin or identity.
- Article 15(1): Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information;
- (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;
- D. recognizing that the COVID-19 pandemic has exacerbated pre-existing inequities in safety and wellbeing for Indigenous and racialized groups, by Resolution 10/2021 the BCAFN Chiefs-in-Assembly called for a BC COVID-19 Immunization Plan that would help First Nations gain equitable access to culturally safe vaccination sites, supports, and resources without further racism or stigmatization;
- E. in November 2020, Surrey-Green Timbers MLA Rachna Singh was appointed BC's first Parliamentary Secretary for Anti-Racism Initiatives and given the critical mandate to work with BC's new Human Rights Commissioner and other stakeholders to introduce anti-racism legislation in the province that will help reduce systemic discrimination and pave the way for race-based data collection essential to modernizing sectors like policing, healthcare and education. The *In Plain Sight* report adopted by the Chiefs includes Recommendation 2, calling for an anti-racism act that aligns with the UN Declaration as required by the Declaration Act;
- F. the Province is set to begin public consultation on the Anti-Racism legislation in fall 2021, and held a preliminary engagement session with Executive members of the First Nations Leadership Council (FNLC) on May 11, 2021 to gain feedback and direction on the development of the legislation, and where the FNLC explicitly informed the Province that they need to engage directly with the proper Title and Rights holders and that engagement with the FNLC is in no way substitute for consultation with the proper Title and Rights holders; and

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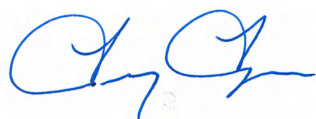
- G. On September 9, 2021 Secretary Singh announced an engagement strategy to encourage British Columbians to share their stories and experiences using government services in BC which will help inform government how to collect data that is reflective of the needs and experiences of BIPOC communities.

**THEREFORE BE IT RESOLVED THAT:**

1. the BCAFN Chiefs-in-Assembly stands in solidarity with all Indigenous peoples and racialized minorities who are combatting racism and experiencing grievous harm, fear, trauma, and hate;
2. in recognition of the rising trends of anti-Indigenous and anti-Asian racism during the COVID-19 pandemic, as well as the global focus on anti-Black racism through the marches for Black Lives Matter, the BCAFN Chiefs-in-Assembly commits to advancing and strengthening a strong anti-racist perspective that is focused on identifying, challenging, and eliminating the structures, policies, and practices that enable and perpetuate systemic racism, and that centers anti-colonialism, eliminating Indigenous-specific racism, and embeds Indigenous human rights;
3. the BCAFN Chiefs-in-Assembly calls upon the provincial government to ensure that that First Nations Title and Rights Holders provide their free, prior and informed consent and are included as key decision-makers in the development of the new Anti-Racism legislation; and
4. that the BCAFN Chiefs-in-Assembly directs the Regional Chief and staff to work with the Union of BC Indian Chiefs and the First Nations Summit, as the First Nations Leadership Council, to continue engaging with the Province on its Anti-Racism legislation, including ensuring that the legislation addresses the cross-sectoral nature of systemic racism, adopts a holistic, inclusive approach to eliminating the root causes of racism, and establishes an equitable, transparent system for race-based data collection.

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Terry Teegee, BC Regional Chief



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

**BCAFN 18<sup>th</sup> ANNUAL GENERAL MEETING**  
**September 14, 15 & 16, 2021**  
**Online via Zoom**

**Resolution 28/2021**

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**SUBJECT:** WOMEN AND 2SLGBTQIA+ DIALOGUE SESSION RECOMMENDATIONS

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**Moved BY:** CHIEF SHARLEEN GALE, FORT NELSON FIRST NATION

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**SECONDED BY:** KUKPI7 ROSANNE CASIMIR, TK'EMLUPS TE SECWÉPEMC

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**DECISION:** CARRIED

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**WHEREAS:**

- A. Indigenous women from the BC region, met for the first Women's Dialogue Session hosted by the BC Assembly of First Nations on March 16-17, 2017 on the traditional territory of the Musqueam people, and on November 1-2, 2017 on the traditional territory of the Sts'ailes. The purpose for the sessions was to bring together First Nations women in leadership to discuss challenges, successes, and strategies to support and enhance the wellbeing and development of ourselves and our communities. The Women's Declaration that was developed during these sessions was supported by the BC Chiefs-in-Assembly via Resolution 01/2018 *Support for BC Indigenous Women's Declaration*;
- B. On January 24, 2020 another Dialogue Session was held on the traditional territory of the Musqueam people to build on the Declaration from 2017, support one another, and gain strength to thrive in the political, business, family, and community contexts we live and engage in. During this dialogue important conversations emerged regarding being inclusive of people with diverse gender identities and sexual orientations, those experiencing homelessness, those experiencing addictions, and youth. The 2020

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**Terry Teegee, BC Regional Chief**

iteration of the Declaration that was developed based on this session was supported by the BC Chiefs-in-Assembly via Resolution 11/2020 *Support for Indigenous Women, Girls, and 2SLGBTQQIA+ People Declaration and Strategy*;

- C. The 2021 Dialogue sessions were held virtually due to the COVID-19 pandemic, on April 13, 14, 15, and 22, 2021 and revolved around the themes of gender identity, allyship, self-care, wellness, and reclaiming our distinct roles and responsibilities. In response to dialogue at the 2020 Dialogue Sessions, the 2021 sessions were entitled, the *Women and 2SLGBTQQIA+ People's Dialogue Sessions* in recognition of BCAFN's efforts to hold space that is inclusive of diverse genders and sexualities, and upholds the diversity of unique identities;
- D. Based on the 2021 Dialogue Sessions, the BCAFN prepared the *Report on the BC Assembly of First Nations 2021 Women and 2SLGBTQQIA+ People's Dialogue Sessions: Nourishing Hope and Belonging*, which includes 13 recommendations that represent next steps where BCAFN can direct advocacy toward provincial and federal governments, undertake organizational level work, and support capacity and resources for First Nations in BC.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly fully support the recommendations made in the *Report on the BC Assembly of First Nations 2021 Women and 2SLGBTQQIA+ People's Dialogue Sessions: Nourishing Hope and Belonging*, and call on the Regional Chief and BCAFN Women's Representative to support their full implementation;
- 2. The BCAFN Chiefs-in-Assembly support the development of a BCAFN strategic action-plan for women, 2S, and LGBTQQIA+ justice, equity, diversity, and inclusion which incorporates the recommendations from the *Nourishing Hope and Belonging* report.

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

**BCAFN 18<sup>th</sup> ANNUAL GENERAL MEETING**  
**September 14, 15 & 16, 2021**  
**Online via Zoom**

**Resolution 29/2021**

**SUBJECT:** "WHAT WE HEARD" REPORT ON MMIWG2SLGBTQIA+

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**Moved BY:** KUKPI7 ROSANNE CASIMIR, TK'EMLUPS TE SECWÉPEMC

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**SECONDED BY:** CHIEF DON TOM, TSARTLIP FIRST NATION

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**DECISION:** CARRIED

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### WHEREAS:

- A. The ongoing tragedy of missing and murdered Indigenous women, girls, Two-Spirit, and LGBTQIA+ people is a direct result of systematic racism, sexism, colonialism, and poverty. The National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) acknowledged that this national crisis is genocide, a fact that Indigenous peoples and their allies have known and declared for decades;
- B. Indigenous women, Two-Spirit, and LGBTQIA+ people, survivors, family members, loved ones, and members of front-line, grassroots, and Indigenous and women's organization have dedicated their lives to ending this tragedy, and have been on the front-lines of this work for decades, bringing deep knowledge, experience, and expertise. These advocates brought national attention to the crisis of MMIWG2S+, which led to the National Inquiry into Missing and Murdered Indigenous Women and Girls;
- C. The National Inquiry made 231 Calls for Justice, and called for these imperatives to be implemented through a National Action Plan to address violence against Indigenous women, girls, Two-Spirit, and LGBTQIA people;

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- D. The first Call for Justice states “We call upon federal provincial, territorial, municipal, and Indigenous governments (hereinafter “all governments”), in partnership with Indigenous Peoples, to develop and implement a National Action Plan to address violence against Indigenous women, girls, and 2SLGBTQIA people”;
- E. The AFN Women’s Council worked with regional elected AFN Women’s Council representatives to host engagement sessions in each region to contribute to the development of the National Action Plan on MMIWG2S+, and was mandated to engage in this work through resolution #67/2019, *Development and Implementation of a National Action Plan on Violence Against Indigenous Women, Girls and 2SLGBTQIA*. This resolution directs the AFN to ensure the Action Plan is respectful of any Nation, women, or regional-led processes in regard to their planning.
- F. Pursuant to BCAFN Resolution 2013-13 *Expanding Engagement on the National Action Plan on MMIWG2S+* the BCAFN hosted a four-phase engagement process to seek insight from survivors, MMIWG2S+ families, and loved ones regarding how the Calls for Justice should be implemented in British Columbia in May and June 2021. Co-facilitators Chasity Davis-Alphonse and Racelle Kooy facilitated these sessions and curated the final *What we Heard* report.
- G. The BCAFN also advocated for improvements to the National Action Plan on MMIWG2S+ development and implementation process, including advocacy to create direct pathways of engagement between MMIWG2S+ advocates and the federal and provincial governments.
- H. On June 3, 2021 the federal government, and a number of provincial governments and Indigenous organizations released their contributions to the National Action Plan. Many valuable contributions were made to this plan by the family members, survivors, and advocates involved. At the same time, the plan did not include concrete components of a plan such as discrete commitments to action, timelines, funding details, or coordination of responsibilities. It was also missing key contributions from those who were not able to complete their contributions in time or who those who are still seeking access to this process.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly fully support and honour the lived experience, perspectives, and recommendations shared as part of the *What we Heard* report.
2. The BCAFN Chiefs-in-Assembly support the development of a BCAFN strategic action-plan for women, 2S, and LGBTQIA+ justice, equity, diversity, and inclusion which incorporates the recommendations from the *What we Heard* report.

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**Terry Teegee, BC Regional Chief**

3. The BCAFN Chiefs-in-Assembly call on the Regional Chief and the BCAFN Women's Representative to support further work to gather input in order to fill gaps identified as part of this engagement process.
4. The BCAFN Chiefs-in-Assembly call on the Regional Chief and the BCAFN Women's Representative to advocate for *What we Heard* to be integrated into federal and provincial level initiatives to implement the Calls for Justice, and to advocate for particularly immediate action on the top five priorities identified in the report: A. Human and Indigenous Rights and Governmental Obligations; B. Culture; C. Health and Wellness; D. Health and Wellness Service Providers; E. Police Services
5. The BCAFN Chiefs-in-Assembly support the BCAFN to continue meaningful, respectful, culturally relevant, and trauma-informed communication and engagement with MMIWG2SLGBTQQIA+ family members and survivors so that updates, implementation progress, and changes are shared and MMIWG2SLGBTQQIA+ family members and survivors to stay informed on processes moving forward.
6. The BCAFN Chiefs-in-Assembly call on the federal and provincial government to support the establishment of decentralized advisory and implementation committees/secretariats to guide the implementation of the National Action Plan and ensure accountability. In accordance with recommendations regarding Indigenous-led services and solutions in the "What we Heard" report, this work must:
  - a) be led by Indigenous women, Two-Spirit, and LGBTQQIA+ people
  - b) empower community champions and Knowledge Keepers
  - c) be inclusive of youth
  - d) involve transparent, accessible, and consistent communication with all partners, survivors, family members, and loved ones.
  - e) centralize Indigenous knowledge in a way that recognizes distinctions between diverse First Nations
  - f) involve an annual review with the goal of ensuring accountability for implementation on behalf of all partners
  - g) be sustainably funded

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

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

**Resolution 30/2021**

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**SUBJECT:** DEMANDING JUSTICE AND ACCOUNTABILITY FOR THE MISSING AND  
UNIDENTIFIED CHILDREN OF RESIDENTIAL SCHOOLS

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**MOVED BY:** KUKPI7 ROSANNE CASIMIR, TK'EMLUPS TE SECWÉPEMC

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**SECONDED BY:** SPOKESPERSON CHRIS LEWIS, PROXY, SQUAMISH NATION

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**DECISION:** CARRIED

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**WHEREAS:**

- A. on May 27, 2021, Tk'emplúps te Secwépemc announced that through efforts to learn the truth about the missing children who attended the former Kamloops Indian Residential School, 215 unmarked mass graves of children were located utilizing ground-penetrating radar;
- B. the Kamloops school – which operated until 1978 and was run by the Catholic church from 1890 to 1969 before the federal government took it over – was one of the largest residential schools in the country with more than 500 students at its peak, and a place where massive human rights violations against Indigenous children and peoples were experienced, including but not limited to cultural, physical and sexual abuse in the state-sanctioned program to assimilate First Nations, including to condition us to succumb to the Catholic faith and renounce our spirituality and traditions;
- C. the Tk'emplúps te Secwépemc is carrying the burden of being the first of many Nations where unmarked burials of children at a former residential school site have come to

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**Terry Teegee, BC Regional Chief**

public attention, bringing national and international attention. The Chiefs across Turtle Island have unwavering respect for the Tk'emlúps te Secwépemc, their people, and all of the families and Nations from whom the children were forcibly removed and compelled to attend the school under threat of arrest and imprisonment;

- D. other First Nations have also made significant findings in their own investigations of unmarked graves where Residential Schools are located within their territories including the Cowessess First Nation in Saskatchewan, Lower Kootney Indian Band, Penelakut First Nation as well as others.
- E. the *United Nations Declaration on the Rights of Indigenous Peoples*, which the governments of Canada and British Columbia have adopted without qualification and passed into federal and provincial law, affirms the fundamental human rights of Indigenous peoples to practice and revitalize our cultural traditions and customs, including the right to maintain, protect and develop the past, present and future manifestations of our culture, such as historical sites, and the right to privacy in our religious and cultural sites, as well as the right to the repatriation of the human remains of our people;
- F. there is information and evidence regarding the loss of life of children at Indian Residential Schools, disappearances, and instances where there was a failure to document or protect the deceased children, who were deprived of their identity, culture and values raising evidence of mass human rights violations of national and international concern, and this must be gathered, protected and made known to Canada and the world within an appropriate context that does not minimize or deny the magnitude of the wrongs committed;
- G. the confirmation of this mass unmarked burial site points to state-sanctioned genocide, human rights and humanitarian law violations, and fits within a pattern of violence inflicted upon Indigenous peoples by Imperial governments, colonial governments, the government of Canada, and the churches through the Residential School system and other colonial laws and policies;
- H. the Crown's racist, colonial attitude towards Indigenous peoples, which persists today, is evidenced in the June 2008 apology issued by former Prime Minister Harper in the House of Commons to survivors of Indian Residential Schools across Canada (the "Apology"). The Apology acknowledged that the objective of the Residential school system was to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant settler culture.

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**Terry Teegee, BC Regional Chief**

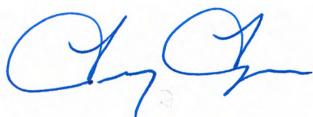


However, the government of Canada has refused to fully document and investigate the concerns of survivors and has not acknowledged or recognized the full genocide inflicted upon Indigenous peoples through the Residential School system;

- I. the Roman Catholic Church has repeatedly refused to accept responsibility or formally apologize for its direct role in the numerous and horrific abuses, forced assimilation and genocide, committed against Indigenous children through the Residential School system, despite having operated over 70% of all Indian Residential Schools in Canada, and sought to reduce their obligation to contribute funds to reconciliation purposes, and in 2016 Canada permitted the Catholic entities to escape their requirement to raise at least \$25 million as part of the class action settlement, leaving only 4 million that they raised for these purposes, excusing the \$21 million obligation that was unfulfilled;
- J. all of the churches have sought to minimize their role and withhold their records pertaining to the Indian Residential Schools, in an attempt to reduce their financial liability and skirt fulsome engagement with First Nations through impactful investments in reconciliation initiatives;
- K. the international and humanitarian laws applicable to Canada at the time of the residential school system, including the laws applicable to war time conduct, prohibited unmarked or undocumented graves and burials, and required respect for the basic rights of people to proper identity in burial, ceremony and last rites, and involvement and participation of next-of-kin;
- L. by BCAFN Resolutions 15/2007, 08/2008, 03(h)/2013, 06(e)/2013, 05(c)/2014, 03/2015, 20/2016 the BCAFN Chiefs-in-Assembly has cited the numerous horrors of Residential Schools and the need for comprehensive healing supports for survivors, families and communities, and the BCAFN Chiefs-in-Assembly called upon the government of Canada to take immediate steps to develop a legal framework and take immediate steps to fully implement all recommendations of the Truth and Reconciliation Commission of Canada;
- M. the Truth and Reconciliation Commission of Canada dedicated a specific volume to the missing children and unmarked graves of Indigenous children who did not return from Canada's Residential Schools, and issued several Calls to Action (71-76) to the Federal Government and the churches to identify the locations of these unmarked graves and to identify the missing children. These Calls to Action have not been honoured by Canada, even after 6 years since the final report of the Commission, nor have there been any proper legal frameworks put into place to address the human rights of Indigenous

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**Terry Teegee, BC Regional Chief**

peoples or authorities established which are required to conduct proper investigations including identification and guardianship of sites where human remains are located near residential schools;

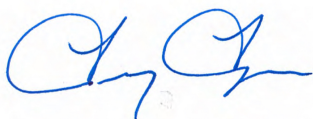
- N. On August 11, 2021 the First Nations Leadership Council hosted a meeting of the 18 First Nations in BC that have Indian Residential Schools in their territory to share information, best practices and strategize how to work together and advocate for sufficient support and resources from the Federal and Provincial governments to undertake this important work; and
- O. protecting and managing such burial sites must be self-determined by the proper Title and Rights holders, and they should work with all Nations from which children were removed and forced to attend school, and Crown governments must ensure they are appropriately resourced and funded to protect the site and support a complete investigation which meets national and international standards and accountability.

**THEREFORE BE IT RESOLVED THAT:**

- 1. the BCAFN Chiefs-in-Assembly stands in solidarity with the Tk'emlúps te Secwépemc, and all survivors of the residential school system, their families, and the families of the children that did not survive, and asserts that the mass grave discovered at the former Kamloops Indian Residential School reveals Crown conduct reflecting a pattern of mass human rights violation including genocide against Indigenous peoples that must be thoroughly documented, investigated and examined in terms of Canada's accountability for actions taken and their continuing effects, including potential breaches of international humanitarian and human rights law;
- 2. the BCAFN Chiefs-in-Assembly calls upon the federal and provincial governments to provide sufficient and long term funding and supports to Tk'emlúps te Secwépemc, and other First Nations, as they develop and implement frameworks and processes to further identify, document, maintain, commemorate, and protect the remains of the children found buried at the Kamloops Indian Residential School and the site itself, and any additional supports required by the Tk'emlúps te Secwépemc in undertaking this difficult work as the first Nation to confirm the presence of mass, unmarked graves;
- 3. the BCAFN Chiefs-in-Assembly fully supports UN Resolution 60/147: "*UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*," and asserts that there is serious evidence that Canada and the churches have violated International human rights and humanitarian law through the hiding,

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damaging, interfering with and destroying mass graves, and the concealment of records and archival material about the schools with an intent to delay or hide identification of the sites;

4. the BCAFN Chiefs-in-Assembly calls on the federal and provincial governments, in full partnership with First Nations, to take immediate action to identify, seize and control all records of the schools in the possession of all churches and Crown governments to ensure they inform the investigation needed, and to provide Indian Residential School Survivors, their families and First Nations, full and complete access, including funding the necessary resources to access, review and analyze the records held by the federal government;
5. the BCAFN Chiefs-in-Assembly calls upon the government of Canada to work with First Nations impacted and identify and ensure that the Special Interlocutor and Advisory Group to conclude and establish a guardianship structure that respects the laws of First Nations, ensuring the entity has proper legal protection and takes all necessary measures to address this situation and comply with international and humanitarian standards, including powers to identify all unmarked burial sites connected to residential schools and protect these from erosion, destruction, manipulation or disturbance;
6. the BCAFN Chiefs-in-Assembly upon all Crown governments to recognize and uphold the inherent jurisdiction of First Nations, as self-determining Nations and peoples, to access, hold and maintain all records, remains, and physical sites pertaining to our children, lands and territories as per the principles of OCAP, and to ensure that all domestic, humanitarian, and international legal interests and rights of First Nations are respected;
7. the BCAFN Chiefs-in-Assembly calls on Canada and the Special Interlocutor to provide a verified list of all known locations of mass graves, and undertake with First Nations, a proactive search for additional sites, including those that might have been desecrated or concealed by religious or state officials, or other private or Crown entities, and to work in full partnership with First Nations to establish, fund, and regulate a proper framework regarding the use of digital technologies to discover mass burial sites which ensures complete accountability for the death or inhumane disposal of the remains of our children;
8. the BCAFN Chiefs-in-Assembly calls upon the Roman Catholic Church and Holy See, having operated the Kamloops Indian Residential School, and over 70% of all Residential

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Schools in Canada, to issue a meaningful formal apology in Canada and commit to acknowledging and working toward redress of this atrocity through the Pope during a visit to meet with survivors, and to renounce the doctrines of moral superiority that justified the church imposing its spirituality and beliefs through a harsh environment and reimposition of *Sublimis Deus* 1537. This must involve working with individual interested Nations including Tk'emlúps te Secwépemc on agreements that acknowledge these truths and outline commitments to action moving forward;

9. the BCAFN Chiefs-in-Assembly, in support of the TteS, calls upon the Attorney General of British Columbia to appoint a Special Prosecutor jointly chosen with TteS, to investigate, collect information and report on whether criminal charges are warranted in relation to the discovery of the mass graves at the Kamloops Indian Residential School; and
10. that the BCAFN Chiefs-in-Assembly calls upon the government of Canada and the churches to acknowledge the continuing impact on First Nations in British Columbia of the genocide, and to take active steps to support survivors, including intergenerational survivors, to find support for the trauma and harm they have borne witness to, and to take tangible steps to support healing and remembering, including a permanent exhibit developed by Indigenous peoples, to serve as a National reminder to all of the truth of what happened to our peoples, so that this grievous mass violation of human rights will never be forgotten or repeated.

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## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

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

**Resolution 31/2021**

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**SUBJECT:** A BC FIRST NATIONS CENTRE OF EXCELLENCE FOR ECONOMIC DEVELOPMENT

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**MOVED BY:** KUKPI7 ROSANNE CASIMIR, TK'EMLUPS TE SECWEPEMC

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**SECONDED BY:** CHIEF COUNCILLOR ELAINE MOORE, NISGA'A VILLAGE OF GITWINKSIHLKW

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**DECISION:** CARRIED

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### WHEREAS:

A. The *United Nations Declaration on the Rights of Indigenous Peoples* states:

Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

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, if they so choose, in the political, economic, social and cultural life of the State.

Article 20: 1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

Article 21: 1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

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- B. The BCAFN Is mandated by Resolutions (Resolution 7(E)/2019 -Fair And Equitable Access For First Nations To Credit Rating System; Resolution 07(F)/2019 - Right To Access International Markets And Trade; Resolution 15/2019 - Support-In-Principle For Protocol On Cooperation And Communication Between The First Nations Leadership Council, First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority, Lands Advisory Board, Aboriginal Financial Officers Association Of BC, New Relationship Trust And First Nations Public Service Secretariat; Resolution 15/2021 - Support For The Development Of A Memorandum Of Cooperation Between the BCAFN and First Nations Business Development Association; Resolution 13/2020 - Support For First Nations In BC Food Security, Sovereignty And Economic Development; Resolution 13/2017 - Support For The BCAFN Sustainable Economic Development And Fiscal Relations Strategy;
- C. The BCAFN has been working with First Nations rights holders, Crown agencies and partners to support First Nations fiscal and economic self-determination and create regulatory changes needed for First Nations wealth management, including but not limited to, creating and implementing the BCAFN Black Books, annual First Nations economic development forums and workshops, creation of initial report on First Nations wellness (non-GDP) indicators;
- D. The global COVID-19 pandemic has exasperated the challenges First Nations businesses and entrepreneurs have in accessing capital, conducting business online and receiving supports from First Nations led entities or organizations in BC;
- E. There does not exist a dedicated, First Nations-led institution in BC to support the economic development of First Nations across all sectors;
- F. The BCAFN proposes to work with First Nations rights holders, First Nation organizations and partners to create a First Nations Centre of Excellence for Economic Development (Centre of Excellence).

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly direct the Regional Chief and BCAFN staff to work towards developing and implementing the concept for a BC First Nations Centre of Excellence for Economic Development.
- 2. The BCAFN Chiefs-in-Assembly direct the Regional Chief and BCAFN staff to ensure a transparent process is developed and implemented in the creation and implementation of the Centre of Excellence, including regional representation by First Nations experts and leaders, and annual reporting to the Chiefs-in-Assembly.

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