



BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road
Prince George, BC V2K 5S3
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BCAFN 18th ANNUAL SPECIAL CHIEFS MEETING
March 9 & 10, 2022
Online via Zoom

Resolution 12/2022

SUBJECT: **CALL TO ACTION FOR THE PROVINCIAL GOVERNMENT TO RECOGNIZE, SUPPORT AND IMPLEMENT INDIGENOUS PROTECTED AND CONSERVED AREAS ("IPCAS") AND INDIGENOUS GUARDIANS IN BC**

MOVED BY: **CHIEF JAMES HOBART, SPUZZUM FIRST NATION**

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

DECISION: **CARRIED**

WHEREAS:

- A. Indigenous peoples have the right and responsibility to manage, protect and make decisions with respect to their traditional territories. These rights and responsibilities are at the root of Indigenous Nationhood and the highest expression of Indigenous Title and Rights;
- B. Indigenous peoples have successfully taken care of their territories for millennia, managing and maintaining healthy, abundant and biodiverse ecosystems throughout what is now known as British Columbia;
- C. the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the government has adopted without qualification, and has, alongside the government of British Columbia (BC), committed to implement through legislation, affirms;

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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 29 (1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

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.

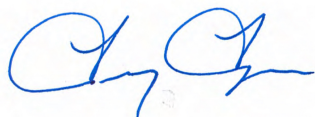
Article 32 (1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

(2): States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

(3): States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact;

- D. BC, since its inception, has unjustly enriched itself at the expense of Indigenous peoples, using colonial laws to dispossess Indigenous peoples of their lands, criminalize Indigenous cultures and ways of life, and forcefully disrupt Indigenous governance systems, legal orders and economies, based on wrongful and racist assumptions that their ways were/are superior to Indigenous peoples. This exploitation has caused

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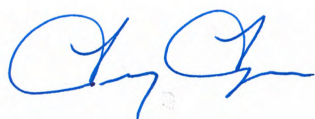


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significant harm to Indigenous peoples, territories, and ways of life and has caused significant damage to the land, waters, animals, plants, environment and ecosystems that have sustained Indigenous peoples since the beginning of time;

- E. BC's approach to conservation, stewardship and land management, including its approach to managing parks and protected areas, has and continues to disregard the Title and Rights and jurisdiction of Indigenous peoples, as well as the critical roles played by Indigenous knowledge, governance and decision-making in caring for First Nations territories;
- F. First Nations communities, have felt the devastating effects of the climate and ecological crises first-hand. Recent droughts, heat waves, and floods; declines in pacific salmon, herring, caribou and other vital food sources for Indigenous peoples; and wildfires demonstrate the urgent need for change and Indigenous-led action that restores Indigenous knowledge and decision-making in conservation and stewardship efforts;
- G. BC enacted the *Declaration on the Rights of Indigenous Peoples Act* in 2019 and pursuant to its obligations to implement the objectives of the UN Declaration thereunder, has committed to "undo 150 years of colonial harms that continue to be felt to this day" by Indigenous peoples;
- H. Indigenous Protected and Conserved Areas ("IPCAs") and Indigenous Guardians represent one of the most promising ways to help reverse both environmental and colonial harms. IPCAs and Indigenous Guardians are proven Indigenous-led conservation and stewardship models that create wide-ranging benefits for the land, the people, and the economy, showing that: Indigenous approaches to caring for the land are more effective than non-Indigenous approaches, leading to healthier lands, waters, and higher rates of biodiversity; IPCAs and Guardians enhance the social, cultural and economic well-being of Indigenous communities and beyond; and IPCAs and Guardians are good investments that yield immediate economic benefits, significant returns on investment, and lead to more stable and diversified economies;
- I. Indigenous peoples have the right to establish IPCAs and Indigenous Guardian programs pursuant to their inherent rights and jurisdiction, Aboriginal Title and Rights, and the rights set out under *UN Declaration* which clearly stipulate Indigenous peoples have ownership rights with respect to their territories, the right to conserve and protect their territories, and the right to make decisions with respect to their territories, which is

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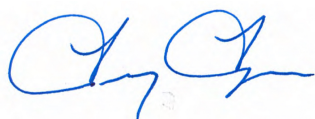
affirmed in the aforementioned Articles;

- J. despite the rights of Indigenous Peoples to establish and implement IPCAs and Indigenous Guardians programs within their territories, and despite repeated calls for BC to recognize and support IPCAs and Indigenous Guardians, BC continues to take the position that it has no mandate to recognize, support, or implement IPCAs or Indigenous Guardians, and instead chooses which IPCAs and Guardian programs to support based on BC's priorities. Moreover, there is no legal or policy framework that requires BC to recognize or implement IPCAs or Indigenous Guardians when established by First Nations;
- K. the Indigenous Leadership Initiative ("ILI"), with the support of the First Nations Energy and Mining Council ("FNEMC") and other like-minded organizations have engaged with First Nations leaders across BC and with leaders of Indigenous Guardians initiatives and emerging IPCAs to prepare a Discussion Paper called: [Good for the Land, Good for the People, Good for the Economy: A Call to Action to Recognize, Support and Implement IPCAs and Indigenous Guardians in British Columbia](#), ("Discussion Paper") which presents the urgent need for IPCAs and Indigenous Guardians in BC and sets out the path forward through a series of key recommendations for BC to recognize, support, and implement IPCAs and Indigenous Guardians initiatives in BC; and
- L. the Discussion Paper was delivered to Premier Horgan and key Ministers in January of 2022 with the expectation that the key recommendations developed therein will be implemented and that BC will begin to work with First Nations immediately to create a framework for recognizing, supporting, and implementing IPCAs and Indigenous Guardians in BC.

THEREFORE BE IT RESOLVED THAT:

- 1. the BCAFN Chiefs-in-Assembly fully supports the call to action for the provincial government to establish a political mandate for recognizing, supporting, and implementing Indigenous Protected and Conserved Areas (IPCAs) including no go zone areas and Indigenous Guardians' initiatives in BC as a matter of upholding the Title, Rights and jurisdiction of BC First Nations and to demonstrate BC's commitment to "undo the colonial harm";
- 2. the BCAFN Chiefs-in-Assembly calls on the provincial government to take immediate steps to implement the recommendations set out in the Discussion Paper in full

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collaboration with BC First Nations and Indigenous organizations, along with sufficient resourcing required for doing this work; and

3. the BCAFN Chiefs-in-Assembly directs the BCAFN Regional Chief and staff to work with First Nations and Indigenous organizations to advance the recommendations set out in the Discussion Paper, as well as other efforts to secure provincial recognition and support for IPCAs and Indigenous Guardians in BC.

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