



BC ASSEMBLY OF FIRST NATIONS

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Prince George, BC V2K 5S3
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BCAFN ANNUAL GENERAL MEETING

September 19-21, 2023

Hybrid - In person & online via Zoom

Resolution 28/2023

SUBJECT: REJECTION AND DENOUNCEMENT OF MÉTIS COLONIALISM IN BRITISH COLUMBIA
AND THE CROWN'S PAST AND ONGOING FACILITATION OF IT

Moved BY: KUKPI7 ROSANNE CASIMIR, TK'EMLUPS TE SECWEPENC

SECONDED BY: CHIEF JAMES HOBART, SPUZZUM FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. the Métis Nation of British Columbia ("MNBC"), through the British Columbia Métis Assembly of Natural Resources, recently released the *Laws of the Hunt, First Edition*, in which MNBC makes a number of false, unfounded, and deeply offensive claims aimed at supporting MNBC's false, unfounded, and deeply offensive assertion that MNBC's members have collective and independent inherent and constitutionally protected rights to harvest throughout the whole of what is now known as British Columbia ("B.C."), which rights include related jurisdiction and give rise to obligations for MNBC to be consulted and accommodated by the governments of Canada and the Province of British Columbia (the "Province"), and in which MNBC appears to make the incredible assertion that the jurisdiction of First Nations does not extend beyond reserve and/or treaty/settlement land;
- B. the *Laws of the Hunt, First Edition*, are the most recent example of attempts by MNBC, the BC Métis Federation ("BCMF") and Métis individuals, "Métis Chartered Communities", and organizations associated with MNBC and BCMF and otherwise (collectively, the "Métis"), to assert that the Métis have independent land and water-

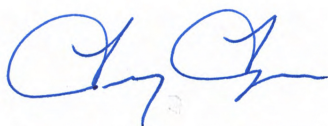
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based inherent and constitutionally protected rights in B.C., including related jurisdiction;

- C. despite UBCIC, the BC Assembly of First Nations, and the First Nations Summit, both acting independently and collectively as the First Nations Leadership Council, as well as First Nations, First Nations organizations, and First Nations aggregates denouncing the false, unfounded, and deeply offensive assertions of the Métis in the past, the Métis have continued to fail to be good guests in our territories and have made such assertions with increasing frequency and such assertions have resulted in the Métis being wrongfully involved and included in rights-based consultative processes, matters, projects, and initiatives within B.C., including consultative processes, matters, projects, and initiatives of the governments of Canada and the Province and proponents acting on their behalf, which have caused undue financial and other benefits to improperly accrue to the Métis at the expense of First Nations, in violation of the inherent, constitutional, and human rights and title of First Nations, and contrary to the inherent laws, legal systems, systems of governance, and jurisdictions of First Nations;
- D. the Métis have sought to justify their false, unfounded, and deeply offensive assertions with spurious and self-serving “evidence” and “arguments” that wholly ignore the inherent, constitutional, and human rights and title of First Nations, and seek to undercut the laws, legal systems, systems of governance, and jurisdictions of First Nations, a tactic reminiscent of the dehumanizing Doctrine of Discovery and *terra nullius* that unquestionably constitutes a form of Métis colonialism in B.C. which must be vigorously opposed by First Nations in B.C. in a coordinated and effective manner;
- E. 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 B.C., passed legislation committing to implement, affirms:
- 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 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

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

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;

F. the BCAFN is in possession of a letter dated May 12, 2023, sent by Minister Murray Rankin to Lissa Dawn Smith, President of MNBC, in which, among other things, Minister Rankin makes the following utterly and completely offensive and unacceptable statements and commitments on behalf of the Province:

1. the Province recognizes MNBC as the representative government of Métis in B.C.,
2. the Province looks forward to strengthening the Province's and MNBC's government-to-government relationship and establishing a reconciliation agreement with MNBC,
3. the Province is committed to a distinctions-based approach with MNBC in a manner that acknowledges the specific rights, interests, and priorities of Métis people in meaningful consultation and collaboration to implement Métis self-determination and self-government, and
4. the Province recognizes that Métis people in B.C. have certain Aboriginal rights as one of the three distinct Indigenous peoples under section 35;

G. First Nations in B.C. are proper title and rights holders within our territories, who hold inherent, constitutional, and human rights, and inherent laws, legal systems, systems of governance, and jurisdictions, which First Nations have applied and exercised throughout the entirety of our territories prior to contact, and which continue to exist and be applied and exercised throughout the entirety of our territories today, and there is no persuasive legal, factual, or moral justification for the existence of land and water-based inherent and constitutionally protected Métis rights in B.C., or Métis jurisdiction over any lands, waters, or resources in B.C.; and

H. it is unacceptable – and antithetical to reconciliation with the pre-existing sovereign First Nations – for the governments of Canada and the Province to stay silent on the issue of Métis rights and Métis colonialism in B.C., and it is an infringement of the inherent, constitutional, and human rights and title of First Nations in B.C., and wholly inconsistent with the *United Nations Declaration on the Rights of Indigenous Peoples*, the *Declaration on the Rights of Indigenous Peoples Act*, and the *United Nations Declaration on the Rights of Indigenous Peoples Act*, for the governments of Canada and the Province to actively facilitate Métis colonialism in B.C.

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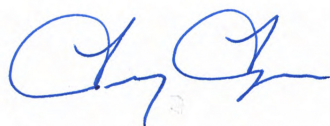


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THEREFORE BE IT RESOLVED THAT:

1. the BCAFN Chiefs-in-Assembly rejects and denounces the past and continuing false, unfounded, and offensive assertions of the Métis of land and water-based inherent and constitutionally protected rights in B.C. and related jurisdiction, including those contained within documents such as, but not limited to, the MNBC Constitution, MNBC Consultation Guidelines, A Tale of Two Nations Report, MNBC's *Natural Resource Act*, MNBC's *Laws of the Hunt, First Edition*, BCMF's Guide to Métis Consultation, and BCMF's Terrestrial Study; forcibly re-affirms that the Métis hold no land, water, or air-based inherent and constitutionally protected rights or related jurisdiction within B.C.; and rejects and denounces any and all forms of Métis colonialism in B.C.;
2. the BCAFN Chiefs-in-Assembly directs the Regional Chief to communicate to the governments of Canada and the Province that the BCAFN Chiefs-in-Assembly demands that the governments of Canada and the Province, and proponents acting on their behalf, cease facilitating Métis colonialism in B.C. and, without limitation:
 - a) confirm that, with respect to MNBC, BCMF, any other Métis representative body, and Métis rights in B.C., it is their position that:
 - a. MNBC, BCMF, and any other Métis representative body that asserts inherent or constitutionally protected land, water, or air-based rights or associated jurisdiction in B.C. are not Indigenous Nations, governments, or Indigenous governing bodies,
 - b. no Métis communities exist or have ever existed in B.C.,
 - c. the Métis hold no land, water, or air-based inherent and constitutionally protected rights in B.C.,
 - d. the Métis have no jurisdiction over any lands, waters, or resources in B.C., and
 - e. to the extent that they do not infringe upon the inherent, constitutional, and human rights and title of First Nations, and are not contrary to the inherent laws, legal systems, systems of governance, and jurisdictions of First Nations, the *Métis Nation* may hold inherent and constitutionally protected rights to self-government in matters relating solely to their internal affairs that may be exercised in B.C.;
 - b) make their positions with respect to Métis rights in B.C. public and clearly communicate that position to MNBC, the BC Métis Federation, and any other Métis representative body that asserts inherent or constitutionally protected land, water, or air-based rights or associated jurisdiction in B.C.; and
 - c) promptly remove the Métis from any of their rights-based consultative processes, matters, projects, or initiatives in B.C. that implicate the inherent, constitutional,

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and human rights and title of First Nations and cease funding Métis involvement in any such consultative processes, matters, projects, or initiatives.

3. BCAFN Chiefs-in-Assembly directs the Regional Chief, working with the Union of BC Indian Chiefs and the First Nations Summit as the First Nations Leadership Council, to convene a working group comprised of Chiefs and technicians dedicated to combatting Métis colonialism in B.C.

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