



BC ASSEMBLY OF FIRST NATIONS

BCAFN Annual General Meeting

Hybrid

September 19, 20, & 21, 2023

RESOLUTIONS LIST

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1004 Landooz Road
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BCAFN ANNUAL GENERAL MEETING
September 19, 20, & 21, 2023
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Resolution 14/2023

SUBJECT: **SUPPORT FOR BCAFN TO JOIN NATIONAL COALITION SUPPORTING GENDER-AFFIRMING HEALTHCARE INFORMATION**

Moved BY: **SPOKESPERSON CHARMAINE THOM, TAKU RIVER TLINGIT FIRST NATION**

SECONDED BY: **CHIEF DAN MANUEL, UPPER NICOLA INDIAN BAND**

DECISION: **CARRIED**

WHEREAS:

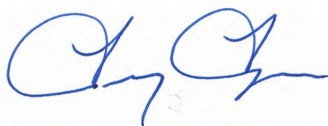
- A. Before colonization, Two-Spirit people were included and respected as valued community members, often holding diverse, unique roles within First Nations communities. As part of the colonization process, there has been an erasure of Two-Spirit people, culture and stories, which has impacted Two-Spirit peoples' wellness and connectedness to their communities and cultures;
- B. The term "Two-Spirit" reflects complex Indigenous understandings of gender roles, spirituality, and the long history of sexual and gender diversity in Indigenous cultures. Individual terms, oral traditions, and roles for Two-Spirit people are specific to each nation. The word "Two-Spirit" was introduced by Elder Myra Laramie at the Third Annual inter-tribal Native America, First Nations, Gay and Lesbian American Conference in Winnipeg in 1990. Not all Indigenous people who hold diverse sexual and gender identities consider themselves Two-Spirit;
- C. All First Nations people have the right to access quality, culturally appropriate and gender-affirming health care;

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- D. Gender-affirming care encompasses a range of social, psychological, behavioural, and medical interventions designed to support and affirm an individual's gender identity;
- E. Two-Spirit, trans and gender-diverse people have individual, unique gender health goals and needs that may or may not include trans-specific medical interventions;
- F. Several challenges pose barriers to gender-affirming care for Two-Spirit, trans, and non-binary people in BC:
 - a) Lack of primary care attachment;
 - b) Demand for culturally safer providers and trans-specific medical care exceeds capacity;
 - c) Primary care providers lack awareness and knowledge in providing care;
 - d) Lack of access to training and support for care providers wanting to get involved in care;
 - e) Long waits for surgical readiness assessments, surgical consults, and surgery;
 - f) Lack of publicly funded psychosocial/mental health supports, especially for young people; and
 - g) Misinformation and malinformation campaigns are active in B.C., especially related to gender-affirming care for Two-Spirit, trans, and non-binary children and youth, leading to an increase in barriers to accessing timely care for young people;
- G. Misinformation is a broad term for incorrect or misleading information. False information can be disproven with scientific evidence. Malinformation contains some truth, but is misleading and can cause harm;
- H. First Nations people, including Two-Spirit, trans, and non-binary children and youth, have the right to access accurate, culturally appropriate, and accessible information regarding their health, which will support gender-affirming care, rather than pose a barrier;
- I. BCAFN Chiefs-in-Assembly have affirmed the inherent value of First Nations Two-Spirit, trans, and non-binary people; their rights to equity, justice, and inclusion; the role of colonialism and discrimination as barriers to the attainment of these rights; and First Nations governments' and organizations' responsibility to work to ensure the restoration and reclamation of wellbeing through resolutions 11/2020 *Support for Indigenous Women, Girls, and 2SLGBTQQIA+ People Declaration*, 28/2021 *Women and 2SLGBTQQIA+ Dialogue Session Recommendations*, 01/2022 *Intersectional Advocacy and Capacity Building Grounded in First Nations Knowledges*, and 28/2022 *Support for the Women, Gender-Diverse and 2SLGBTQQIA+ Dialogue Session Report*;
- J. Trans Care BC is a part of the Provincial Health Services Authority, and their purpose is to work with partners to set direction and provide leadership for trans health services across B.C. to ensure Two-Spirit, trans and gender-diverse people of all ages get the care they need when and where they need it;

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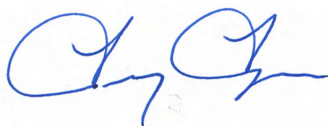
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- K. Trans Care BC is hosting a National Coalition that will involve community leaders and organizations partnering to share newly developed resources and tools that will support healthcare providers, families, and Two-Spirit, trans, and non-binary youth to identify and address misinformation and malinformation. This project will highlight Two-Spirit, trans and non-binary joy and share knowledge and research related to best practices in youth gender health. This work will be guided by Two-Spirit, trans, and non-binary youth, parents/caregivers, and healthcare providers;
- L. BCAFN has the opportunity to participate as a member of this National Coalition;

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly support BCAFN in joining the National Coalition to respond to the spread of misinformation and malinformation regarding gender-affirming care for Two-Spirit, trans, and non-binary youth; and
2. The BCAFN directs the Regional Chief to advance advocacy, together with like-minded organizations, that responds to the range of identified barriers to quality, culturally appropriate, and gender-affirming healthcare for First Nations youth, in particular, Two-Spirit, trans, and non-binary youth.

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Resolution 15/2023

SUBJECT: **SUPPORT FOR COMMUNITY-BASED DELIVERY OF POST-SECONDARY
EDUCATION PROGRAMS IN FIRST NATION COMMUNITIES**

Moved BY: **CHIEF LYNDIA PRICE, ULKATCHO FIRST NATION**

SECONDED BY: **CHIEF STU JACKSON, LOWER NICOLA INDIAN BAND**

DECISION: **CARRIED**

WHEREAS:

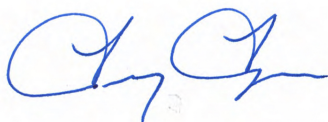
- A. First Nations have the right to establish and control their educational systems and institutions as an aspect of their inherent rights of self-determination and self-government, as affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) and also as recognized and affirmed under section 35 of the *Constitution Act, 1982*.
- B. The provincial *Declaration on the Rights of Indigenous Peoples Act* and the federal *United Nations Declaration on the Rights of Indigenous Peoples Act* require British Columbia and Canada respectively, in consultation and cooperation with Indigenous peoples, to take all measures necessary to ensure that the laws of British Columbia and Canada are consistent with the UN Declaration, and to develop and implement action plans to achieve the objectives of the UN Declaration.
- C. First Nations in British Columbia have worked for more than two decades to build the BC First Nations Education System, which is premised fundamentally on quality education for First Nation students and First Nations control of First Nations education.

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- D. BC First Nations have demonstrated their capacity to build effective, relevant, responsive, and BC-specific models for First Nations education through the development of the BC Tripartite Education Agreement signed in 2018 by Canada, British Columbia, and the First Nations Education Steering Committee (FNESC).
- E. The Province of British Columbia (Province) committed in the *2022 Declaration Act Action Plan* to work with First Nations to “provide funding for self-determined, community-led programs to upgrade skills, obtain credentials, secure employment, and develop and support community economies (action 4.41).
- F. BC First Nations have demonstrated their capacity to effectively administer funding for community-based delivery of post-secondary programs, including the Post-Secondary Partnerships Program (PSPP), and while the Provincial Government provided one-time funding in 2020 and 2022 to support First Nations and First Nations-Mandated Post-Secondary institutes to deliver community-based programs funded through the PSPP, there is no commitment to provide ongoing funding.
- G. The Province of British Columbia committed in the *2022 Declaration Act Action Plan* to “support Indigenous language revitalization through sustainable funding” (action 4.30).
- H. First Nations-mandated post-secondary institutes, First Nations, the Indigenous Adult and Higher Learning Association (IAHLA) and FNESC have worked with public post-secondary institutions to develop a Language Fluency/Proficiency Degree framework as one avenue to meet the urgent need for language revitalization and language speakers, and while the Province provided one-time funding in 2019 and 2022 and has identified further funding to support the implementation of the framework, based on the needs identified by First Nations and the costs of program delivery, funding is insufficient to support existing programs and to support First Nations to implement additional programs.
- I. The Province has committed in the *2022 Declaration Act Action Plan* to “develop and implement an effective recruitment and retention strategy to increase the number of Indigenous teachers in the K-12 public education system” (action 4.2).
- J. The Provincial Government has identified funding for Indigenous teacher recruitment and retention, but funding is insufficient to meet the need to significantly increase the number of First Nations students completing teacher education programs, and First Nations have been clear that funding must be directed to community-based delivery of First Nations teacher education programs to be effective.
- K. FNESC and IAHLA, under the direction of First Nations in British Columbia, are developing a BC First Nations Tripartite PSE Model (“BC First Nations PSE Model”), which includes “four pillars”: First

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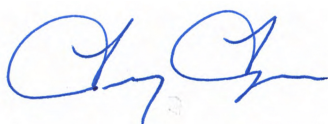
Nations Learners; First Nations-Mandated Post-Secondary Institutes; Community-Based Program Delivery; and a Respectful and Responsive Public Post-Secondary System.

- L. By BCAFN Resolution 23/2021, the BCAFN Chiefs in Assembly called on the provincial government to provide ongoing core and capacity funding to First Nations-mandated post-secondary institutes, and to work with FNEC and IAHLA to co-develop legislation recognizing the critical role of the institutes and committing to provide ongoing core funding, consistent with the First Nations-Mandated Post-Secondary Institutes pillar.
- M. By BCAFN Resolution 05/2022, the BCAFN Chiefs in Assembly affirmed their support for continued development of the BC First Nations PSE Model, recognizing that the BC First Nations PSE Model will evolve as further direction is received from First Nations, and their support for the four pillars, including the Community-Based Program Delivery pillar.

THEREFORE BE IT RESOLVED:

- 1. The BCAFN Chiefs-in-Assembly call on the Province of British Columbia to commit stable and predictable multiyear funding that meets the need for community-based delivery of post-secondary programs in First Nations communities, to be administered through a First Nations-controlled process that is equitable, accountable and transparent;
- 2. The BCAFN Chiefs-in-Assembly call on FNEC to develop regional policy and guidelines, under the direction of First Nations, for the administration of both federal and provincial funding for First Nations community-based delivery of post-secondary programs that will supersede existing policies and guidelines established by the federal and provincial governments;
- 3. The BCAFN Chiefs-in-Assembly call on the Province of British Columbia to provide increased and ongoing funding for the Indigenous Language Fluency Degree to implement Action 4.30 of the *2022 Declaration Act Action Plan* and meet the urgent need to address language revitalization and the need for fluent language speakers; and
- 4. The BCAFN Chiefs-in-Assembly call on the Provincial Government to provide increased and ongoing funding for teacher education programs, consistent with Action 4.2 of the *2022 Declaration Act Action Plan* to be delivered in First Nations communities to meet the immediate and urgent need for First Nations teachers and First Nations language teachers to be administered through a process jointly determined with First Nations.

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Resolution 16/2023

SUBJECT: SUPPORT FOR THE DRAFT TRIPARTITE FRAMEWORK AGREEMENT ON NATURE CONSERVATION

MOVED BY: CHIEF DON TOM, TSARTLIP FIRST NATION

SECONDED BY: CHIEF BYRON LOUIS, OKANAGAN INDIAN BAND

DECISION: CARRIED

WHEREAS:

- A. Nature Agreements are framework mechanisms to describe clear and strong commitments to nature conservation and protection and include mutually agreed upon actions and financial commitments from federal and provincial governments to reach conservation goals, and should be codeveloped with inherent title and rights holders as partners. More specifically, Nature Agreements may include:
- Creation and expansion of protected and conserved areas, as well as key biodiversity areas, Indigenous-led conservation, and other effective area-based conservation measures;
 - Protecting critical habitat and adopting land use planning measures to improve outcomes for species at risk and migratory birds;
 - Facilitating information and data exchange to improve conservation outcomes;
 - Mitigating and building resilience to climate change by reducing land use change and practices with greenhouse gas emission impacts, and facilitating carbon sequestration and storage through ecosystem restoration;

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- B. 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:

Article 10: Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior, and informed consent of the Indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

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 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

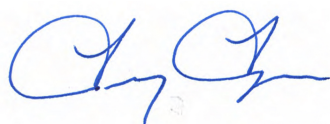
Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. **(2):** Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason 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.

Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and re- sources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent. **(2):** Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

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. **(2):** States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent. **(3):** States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and

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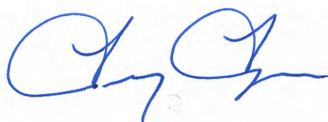
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restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

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; and

- C. the Government of Canada, Province of British Columbia and First Nations in BC confirmed interest in codeveloping a tripartite Nature Agreement to address the dual crises of biodiversity loss and climate change and which is grounded in recognition of First Nations' rights and jurisdiction given that First Nations in BC have inherent land-based title and rights and treaty rights in BC and are disproportionately affected by global biodiversity and climate impacts and that First Nations' leadership and knowledge is critical to achieving transformative changes and sustained actions to address these crises.
- D. by Resolution BCAFN 05/2023 the BCAFN Chiefs in Assembly directed the Regional Chief working collectively with the Union of BC Indian Chiefs and First Nations Summit as the First Nations Leadership Council, to:
 - a) engage in tripartite discussions with the Government of Canada and the Province of British Columbia to co-develop a draft tripartite Nature Agreement for consideration by the Chiefs;
 - b) ensure that any draft Nature Agreement: is consistent with and upholds Indigenous human rights described in the United Nations Declaration on the Rights of Indigenous Peoples and related SCC decisions clarifying our inherent title, rights and treaty rights; takes a distinctions-based approach to ensure that the unique rights, interests, and circumstances of titleholding First Nations peoples in BC are acknowledged, affirmed, and respected; ensures that First Nations are full partners in the identification of areas for conservation and protection and in habitat enhancement and restoration initiatives; ensures that First Nations are full partners in any planning and decision-making processes, including for land use and species at risk protection and recovery; and includes a strong and central role for Indigenous knowledge and science, while upholding and respecting Indigenous data sovereignty;
 - c) ensure that the draft Nature Agreement enables and does not in any way constrain or impact the individual negotiations, joint decision-making, and joint planning that rightfully belongs between the Crown and title-holders;
 - d) develop and implement a process for consultation and cooperation with First Nations on the draft Nature Agreement, and provide regular reports to the BCAFN Chiefs-in-Assembly on the ongoing tripartite discussions; and bring any recommended draft Nature Agreement to the BCAFN Chiefs-in-Assembly for review and endorsement by resolution.

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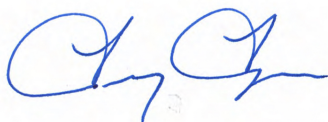
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- E. the Government of Canada, Province of British Columbia and the First Nations Leadership Council have codeveloped a tripartite Nature Agreement that addresses the foregoing mandate provided by First Nations in BC, provided that Nature Agreement for review and input by First Nations, and addressed input provided by First Nations.

THEREFORE BE IT RESOLVED THAT:

1. the BCAFN Chiefs-in-Assembly directs the Regional Chief, working collectively with the Union of BC Indian Chiefs and First Nations Summit as the First Nations Leadership Council, to sign the draft Tripartite Framework Agreement on Nature Conservation;
2. the BCAFN Chiefs-in-Assembly directs the BCAFN to clearly articulate to the Government of Canada and the Province of British Columbia that the Tripartite Framework Agreement on Nature Conservation must enable, and in no way constrain or impact the individual negotiations, joint decision-making, and joint planning that rightfully belongs to the Title and Rights holders of their respective territorial lands for their discussion between the Crown and title-holders; and
3. that the BCAFN Chiefs-in-Assembly directs the Regional Chief, working collectively with the Union of BC Indian Chiefs and First Nations Summit as the First Nations Leadership Council, to provide regular reports to the BCAFN Chiefs-in-Assembly on the implementation and coordination of activities under the Tripartite Framework Agreement on Nature Conservation, including the interim Tripartite Nature Committee.

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Resolution 17/2023

SUBJECT: **CIVIL ACTION TO END DISCRIMINATIVE FUNDING OF INDIGENOUS CHILD
AND FAMILY SERVICES PROVIDED OFF-RESERVE**

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

SECONDED BY: **KHELSILEM, CHAIRPERSON, SQUAMISH NATION**

DECISION: **CARRIED**

WHEREAS:

- A. the Government of Canada and the Government of British Columbia have knowingly underfunded child and family services for off-reserve Indigenous children in BC for decades, despite being cognizant of systemic discrimination and ongoing harms caused;
- B. the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which Canada has adopted without qualification, and has, alongside BC, passed legislation committing to implement, affirms:

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.

Article 7(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

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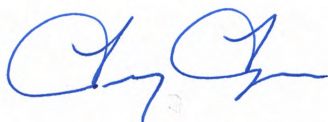
Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 22(2): States shall take measures, in conjunction with Indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights;

- C. in 2007, the First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations (AFN) filed a human rights complaint to the Canadian Human Rights Commission, against Canada, alleging Canada of inequitable funding of First Nations Child and Family Services (FNCFS) and failure to implement Jordan's Principle;
- D. this complaint was referred to the Canadian Human Rights Tribunal (CHRT) for a full hearing, and the CHRT substantiated this complaint in 2016 CHRT 2 and ordered Canada to immediately cease its discriminatory conduct towards First Nations children and families;
- E. the CHRT ruling established that First Nations children and families are legally entitled to receive prevention services and least disruptive measures;
- F. Canada repeatedly refused to comply with this order, filing multiple judicial reviews, which resulted in 23 non-compliance and procedural orders, and three Federal Court orders against Canada since 2016;
- G. in fall 2021, Canada admitted to ongoing discrimination and entered negotiations with the complainants (Caring Society and AFN) and the interested parties (Chiefs of Ontario and Nishnawbe Aski Nation) to resolve outstanding discrimination and prevent its recurrence pursuant to the CHRT orders;
- H. on December 31, 2021, two Agreements-in-Principle (AIP) were signed, providing the frameworks for negotiations of the Final Settlement Agreements (FSA) on (1) Long-Term

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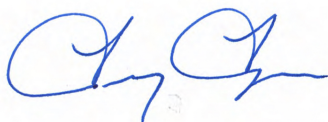
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Reform of the FNCFS Program, Jordan's Principle, and Indigenous Services Canada (ISC) and (2) Compensation for victims of Canada's discrimination;

- I. on April 3, 2023, the parties announced a revised FSA on compensation, which was endorsed by the AFN Chiefs-in-Assembly;
- J. the CHRT rulings and related agreements among the parties only apply to FNCFS on-reserve, while similar off-reserve services are funded by BC, and fall beyond the CHRT's jurisdiction in this matter;
- K. provincial funding for Indigenous child and family services reflects the same discrimination determined by the CHRT in federal funding;
- L. since 2016, on-reserve First Nation children and families have had access to necessary prevention services from Canada, while MCFD has provided minimal funding for prevention services and no funding for Jordan's Principle services due to use and application of a dated, formulaic funding approach;
- M. since 2016, the Indigenous Child & Family Services Directors (ICFSD) have repeatedly urged BC to implement the CHRT rulings to ensure substantive equality for Indigenous children and families both on- and off-reserve;
- N. in January 2022, the ICFSD and MCFD agreed to strike a Fiscal Working Group (FWG) to remedy the inequities between on-reserve and off-reserve services for Indigenous children and families;
- O. in March 2022, MCFD stated that they could not sign off on the Terms of Reference for the FWG because they did not have the mandate to achieve substantive equality for Indigenous children and families; and
- P. on May 19, 2022, ICFSD assisted lawyers in filing a Notice of Civil Claim against BC and Canada, alleging discrimination in the funding of off-reserve Indigenous child and family services.

THEREFORE BE IT RESOLVED THAT:

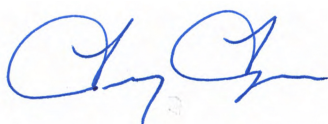
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1. that the BCAFN Chiefs-in-Assembly supports the children, youth, and families who have and continue to suffer discrimination in the funding of off-reserve Indigenous child and family services;
2. that the BCAFN Chiefs-in-Assembly calls on the Government of Canada and the Government of British Columbia to:
 1. Immediately cease discriminating against Indigenous children and families receiving provincially-funded child and family services;
 2. Ensure that discrimination never occurs again;
 3. Compensate the children and families who have endured discrimination;
3. the BCAFN Chiefs-in-Assembly calls on Canada and BC to eschew the delay and defer tactics, which allowed the Canadian Human Rights Tribunal (CHRT) process to drag on for nearly two decades, and to resolve the alleged discrimination in the May 19, 2022 Notice of Civil Claim through a fair and just negotiation process, centred on the best interests of the child;
4. the BCAFN Chiefs-in-Assembly calls on Canada and BC to ensure that the systemic underfunding of off-reserve child and family services for Indigenous children and families in BC be resolved in alignment with the CHRT rulings, the Final Settlement Agreement on Compensation, and the eventual Final Settlement Agreements on Long-Term Reform and Jordan's Principle;
5. the BCAFN Chiefs-in-Assembly calls on Canada and BC to support the full participation of the Indigenous Child & Family Services Directors as well as non-delegated First Nations in any legal action or settlement process related to off-reserve services for Indigenous children and families;
6. that the proper Title and Rights holders make the final determination or decision with respect to any legal action or settlement process related to services for Indigenous children and families; and
7. the BCAFN Chiefs-in-Assembly calls on Canada and BC to ensure that discriminative funding and delivery of Indigenous child and family services be resolved through an evidence-informed, distinctions-based, needs-based and child-centred approach, which meets the best interests, needs, and approval of Indigenous children and families.

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Terry Teegee, BC Regional Chief



BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
September 19-21, 2023
Hybrid - In person & online via Zoom

Resolution 18/2023

SUBJECT: DECLARATION OF THE RIGHTS OF INDIGENOUS CHILDREN AND DAY OF ACTION AGAINST DISCRIMINATION

Moved BY: CHIEF JAMES HOBART, SPUZZUM FIRST NATION

SECONDED BY: KHELSILEM, CHAIRPERSON, SQUAMISH NATION

DECISION: CARRIED

WHEREAS:

- A. Since time immemorial, First Nations successfully used traditional systems of care to ensure the safety and well-being of their children;
- B. Canada and British Columbia's colonial laws and policies have specifically targeted First Nations children and the family structures they are nested within;
- C. those colonial laws and policies, implemented via the residential school system and subsequently the child welfare system, have devastated our cultures and our family life;
- D. Canada's own Minister of Indigenous Services has referred to the impact of the child welfare system on First Nations families as a "humanitarian crisis;"
- E. our children continue to suffer and die within the colonial child welfare system;

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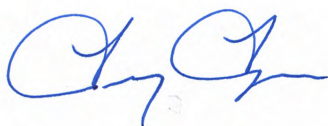
Terry Teegee, BC Regional Chief

- F. Canada was found to have knowingly discriminated against First Nations children and families in the funding of First Nations child & family services, and was ordered by the Canadian Human Rights Tribunal to end that discrimination and to compensate the victims of discrimination;
- G. the Representative for Children & Youth has found that British Columbia continues to perpetrate the same type of discrimination against Indigenous children in the funding of off-reserve child & family services;
- H. Canada ratified the United Nations Convention on the Rights of the Child in 1991, and in 2021 passed the *United Nations Declaration on the Rights of Indigenous Peoples Act*, which affirms the declaration as an international human rights instrument, which includes provisions specific to children;
- I. British Columbia has not developed or ratified a provincial child rights framework but has passed the *Declaration on the Rights of Indigenous Peoples Act*;
- J. the BC Office of the Representative for Children and Youth has demonstrated a strong commitment to protecting and upholding the rights of First Nations children; and
- K. the watershed commitment made by the Province of British Columbia in 2002 in support of the Tsawwassen Accord must be reaffirmed, given the urgency of the humanitarian crisis in the child welfare system.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly directs the Regional Chief to work with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council and in collaboration with the BC Representative for Children and Youth to develop a Declaration on the Rights of Indigenous Children; and
2. The BCAFN Chiefs-in-Assembly designate Universal Children's Day (November 20, 2023) as a Day of Action to end discrimination against First Nations children, including British Columbia's ongoing discrimination in the funding of off-reserve child & family services.

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BCAFN ANNUAL GENERAL MEETING
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Draft Resolution 19/2023

**SUBJECT: FISCAL FRAMEWORK DEVELOPMENT FOR THE RESUMPTION OF JURISDICTION
BY FIRST NATIONS OVER CHILDREN AND FAMILIES**

Moved BY: JUDY WILSON, PROXY, SKAWAHLOOK FIRST NATION

SECONDED BY: CHIEF LEE SPAHAN, COLDWATER INDIAN BAND

DECISION: CARRIED

WHEREAS:

- A. First Nations Title and Rights holders have the inherent right to self-determination, which includes jurisdiction over our children and families as constitutionally protected under Section 35 of the *Constitution Act, 1982*, described in the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), and affirmed in Bill C-92: *An Act respecting First Nations, Inuit and Métis children, youth and families* (C-92);
- B. Work is underway to transform child and family services in British Columbia, including the development of a new fiscal framework to support the resumption of jurisdiction by First Nations over their children and families in BC, but improved information sharing and opportunities for First Nation input and involvement are necessary to ensure that the framework reflects the needs and realities of First Nations in BC;
- C. The UN Declaration, which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:

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Terry Teegee, BC Regional Chief

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 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 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 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements;

- D. On January 26, 2016, and via subsequent rulings, the Canadian Human Rights Tribunal (CHRT) ordered Indigenous Services Canada (ISC) to cease its discriminatory practices and reform the national First Nations Child and Family Services (FNCFS) Program, policies, procedures, and agreements to comply with the CHRT's findings;
- E. Through resolutions at the Chiefs' Assemblies, the Chiefs in BC have supported and endorsed work to reform FNCFS by the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and UBCIC, working together as the First Nations Leadership Council (FNLC), including the development of an Action Framework (UBCIC Resolution 2016-44, FNS Resolution 1016.11, BCAFN Resolution 22/2016), a Tripartite process between BC, Canada and FNLC (UBCIC Resolution 2017-06, FNS Resolution 0217.19, BCAFN Resolution 06/2017), and a Reconciliation Charter;
- F. In 2019, the Government of Canada enacted C-92, affirming inherent Aboriginal and treaty rights, and supporting First Nations governments to pass laws, enforce laws, and

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Terry Teegee, BC Regional Chief

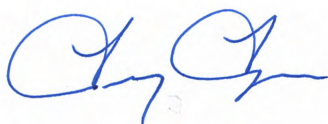
put in place coordination arrangements for all aspects of child and family services, based on First Nations laws, priorities, customs, traditions, and practices;

- G. By Resolution 01/2019, the Chiefs-in-Assembly directed the BCAFN Regional Chief, working with the UBCIC and FNS as part of the TWG, to create a detailed transition strategy to meet the needs of First Nations in BC for review and input by the Chiefs, which is ongoing;
- H. Canada provides funding to the Province through a bilateral Service Level Agreement (SLA) for costs of child and family service delivery for First Nations on-reserve that are not served by a Delegated Aboriginal Agency;
- I. While the broader transformation toward a new and effective fiscal model to support First Nations children and families in BC is taking place, as committed to in the Reconciliation Charter, an updated SLA continues to be used as an interim measure so that First Nations do not see disruptions in services;
- J. In 2018, the Institute of Fiscal Studies and Democracy (IFSD) was hired by the Assembly of First Nations and the First Nations Child & Family Caring Society to research and define a funding approach and performance measurement framework for FNCFS that aligns with the requirements articulated through legislation and judicial decisions;
- K. IFSD research, which is still underway, has informed negotiations on the current Agreement-in-Principle, on long-term reform of FNCFS, which was signed in 2021, and the revised Final Settlement Agreement (FSA) on FNCFS, Jordan's Principle, and the reform of Indigenous Services Canada (ISC), which was signed in 2023; and
- L. IFSD research currently underway, builds on previous IFSD data collection and findings and includes some BC-specific data. Next steps for IFSD are to 1) Build examples of funding models (with consideration of different starting points) based on findings; 2) Request regional review meetings of the models to ensure they capture different needs; and 3) Prepare a final report for December 2023 with a summary of findings.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly fully supports the development of a long-term funding agreement, that ensures the holistic transformation of First Nations Child and Family Services (FNCFS) to a new fiscal framework, which supports First Nations resumption of

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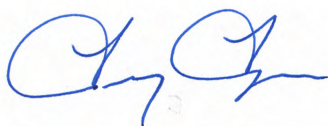


Terry Teegee, BC Regional Chief

jurisdiction over their children and families and realizes the intention and spirit of the UN Declaration and recent legislation and judicial decisions;

2. The BCAFN Chiefs-in-Assembly calls on the Institute of Fiscal Studies and Democracy (IFSD), which is completing cost modelling work to develop a new fiscal framework, to ensure full alignment and engagement with First Nations in British Columbia, in all aspects of development;
3. The BCAFN Chiefs-in-Assembly calls on IFSD to engage in consistent communication with BCAFN, the Union of BC Indian Chiefs (UBCIC), and the First Nations Summit (FNS), working together as the First Nations Leadership Council (FNLC), to support engagement with First Nations in BC and ensure review and analysis of IFSD reports, by FNLC contracted experts;
4. The BCAFN Chiefs-in-Assembly directs the Regional Chief, working with the UBCIC and the FNS, as the FNLC, to work with IFSD to provide input and promote opportunities for First Nations in BC to provide direct input in the development of a new fiscal framework; and
5. The BCAFN Chiefs-in-Assembly calls on Canada and the Province of British Columbia, as members of the Tripartite First Nations Children and Families Working Group, to share information with and support IFSD's cost modelling work to ensure an accurate reflection of and funding to address the needs and priorities of First Nations in BC.

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Terry Teegee, BC Regional Chief



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Resolution 20/2023

**SUBJECT: SUPPORT-IN-PRINCIPLE FOR TRIPARTITE MOU ON FIRST NATIONS EARLY
LEARNING AND CHILD CARE**

Moved BY: CHIEF JERRY JACK, MOWACHAHT/MUCHALAHT FIRST NATION

SECONDED BY: JUDY WILSON, PROXY, SKAWAHLLOOK FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. First Nations peoples have always maintained jurisdiction over the care of their children, which includes the care, teachings, and responsibility of children in early learning and childcare settings;
- B. On July 7, 2021, Canada and BC signed the Canada-British Columbia Canada-Wide Early Learning and Childcare Agreement (Agreement), in which they commit to work collaboratively with Indigenous Governing Bodies and organizations to implement the Agreement and to support Indigenous-led, culturally safe and accessible Early Learning and Child Care programming in British Columbia;
- C. On April 1, 2022, early learning and childcare programs, services, responsibilities, and accountabilities transitioned from the Ministry of Children and Family Development (MCFD) to the newly formed Ministry of Education and Child Care (MECC);

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- D. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:

Article 13(1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

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;

- E. MECC has a responsibility to work with First Nations to support improved outcomes for First Nation children and students regarding childcare and educational outcomes, including pursuant to the BC Tripartite Education Agreement and the Declaration Act on the Rights of Indigenous Peoples' Action Plan;
- F. Through resolutions at the Chiefs' Assemblies, the Chiefs in BC directed the Union of BC Indian Chiefs (UBCIC), the First Nations Summit (FNS), and the BC Assembly of First Nations (BCAFN), working together as the First Nations Leadership Council (FNLC), to wholly reform the current Indigenous child welfare system in BC (UBCIC Resolution 2016-44, 2017-06, & 2022-52, FNS Resolution 1016.11, 0217.19, & 1022.04; BCAFN Resolution 22/2016, 06/2017, & 32-2022), which includes early learning and child care;
- G. Through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2020-27, FNS Resolution 1020.06, & BCAFN Resolution 20/2020), the Chiefs in BC directed UBCIC, the FNS, and the BCAFN, as the FNLC, to provide political leadership for the regional partnerships that will be required to ensure the Indigenous Early Learning and Child Care (IELCC) framework best responds to and supports First Nations children, families, and communities in ways First Nations determine;
- H. The FNLC, the Government of Canada (represented by Employment and Social Development Canada), and the Government of British Columbia (represented by the

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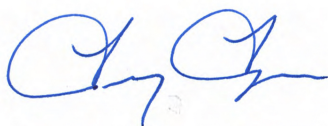
Ministry of Education and Child Care and the Minister of State for Child Care) have prepared a draft memorandum of understanding (MOU) as full and equal partners, to establish a formalized process to engage in regular dialogue on Indigenous Early Learning and Child Care for First Nations in BC, and on related issues of mutual interest and concern;

- I. The Tripartite MOU will confirm and set out a mutual commitment to engage in dialogue, oversight, and joint action on specific issues and initiatives, including relating to governance, policy, and investment to co-develop and support a system of First Nations-led Early Learning and Child Care in British Columbia, which acknowledges and is informed by broader IELCC system and policies, and is consistent with a distinctions-based approach;
- J. Through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2022-51, FNS Resolution 1022.05, & BCAFN Resolution 31/2022), the Chiefs in BC directed UBCIC, FNS, and the BCAFN, working as the FNLC, to continue engaging with the provincial and federal governments, along with the First Nations Education Steering Committee (FNESC) and the BC Aboriginal Child Care Society (BCACCS), as appropriate, on ways to best support First Nations with early learning and child care in their communities and with regard to any implications for First Nations education; and
- K. FNESC and BCACCS are experts in the education, early learning, and childcare sectors, and provide advice to FNLC and First Nations in promoting and developing high-quality education and community early learning and child care services, and have supported the FNLC in negotiating the draft tripartite MOU.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly supports-in-principle the draft tripartite memorandum of understanding (MOU) on First Nations Early Learning and Child Care between BCAFN, the Union of BC Indian Chiefs (UBCIC), and the First Nations Summit (FNS), working together as the First Nations Leadership Council (FNLC), the Government of Canada (represented by Employment and Social Development Canada), and the Government of British Columbia (represented by the Ministry of Education and Child Care and the Minister of State for Child Care);
- 2. The BCAFN Chiefs-in-Assembly directs the Regional Chief to work with the UBCIC and FNS, as the FNLC, to prepare a finalized tripartite MOU, with Canada and BC on Indigenous Early Learning and Child Care, with the assistance of the First Nations

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Terry Teegee, BC Regional Chief

Education Steering Committee (FNESC) and the BC Aboriginal Child Care Society (BCACCS);

3. The BCAFN Chiefs-in-Assembly directs the Regional Chief to sign the finalized tripartite MOU, if there are no significant changes to the principles or content of the draft tripartite MOU, and work with the UBCIC and FNS, as the FNLC, and with the assistance of FNESC and BCACCS, work on an implementation work plan;
4. The BCAFN Chiefs-in-Assembly calls on the federal and provincial governments to provide permanent, reliable, and appropriate funding for the FNLC, FNESC, and BCACCS, to be full and equal partners in this MOU, and for funding to support First Nations for their participation in implementation; and
5. That the BCAFN Chiefs-in-Assembly directs the Regional Chief to work with other members of the FNLC, FNESC, and BCACCS to provide regular reports to the BCAFN Chiefs-in-Assembly on implementation of the MOU.

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Terry Teegee, BC Regional Chief



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BCAFN ANNUAL GENERAL ASSEMBLY
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Resolution 21/2023

SUBJECT: REPATRIATION OF FIRST NATIONS CHILDREN

Moved BY: JUDY WILSON, PROXY, SKAWAHLLOOK FIRST NATION

SECONDED BY: CHIEF JAMES HOBART, SPUZZUM FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. First Nations title and rights holders have the inherent right to self-determination, which includes jurisdiction over our children and families as constitutionally protected under Section 35 of the *Constitution Act, 1982*, described in the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), and affirmed in Bill C-92: *An Act respecting First Nations, Inuit and Métis children, youth and families* (C-92);
- B. The UN Declaration should be the framework used to address the horrific legacy of Residential Schools, the Sixties Scoop, and the Millennial Scoop, including the forced removal of First Nations children and youth from their families, communities, and Nations, the disproportionate number of First Nations children and youth in care, the adverse outcomes of child welfare involvement, the loss of language, and denial of culture and human rights;

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- C. The UN Declaration, which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:

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.

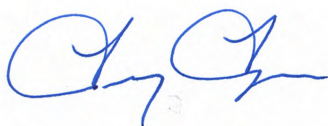
Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person. **(2):** Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 22(2): States shall take measures, in conjunction with Indigenous peoples, to ensure that Indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

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;

- D. The Truth and Reconciliation Commission of Canada (TRC) Calls to Action #1 to #5 call on federal, provincial, and territorial governments to reduce the number of First Nations children in care and improve First Nations child and family services;
- E. By Union of BC Indian Chiefs (UBCIC) Resolution 2015-28, the UBCIC Chiefs Council 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;
- F. The Sixties Scoop was an ongoing practice in the 1960s and 1970s which removed First Nations children from their families and communities and placed them in the care of white Canadian and International foster or adoptive homes;
- G. By UBCIC Resolution 2022-07, the UBCIC Chiefs Council supported the call for a national inquiry into the Sixties Scoop and permanent child removal, directed the UBCIC Executive and staff to work with like-minded organizations to call on the federal

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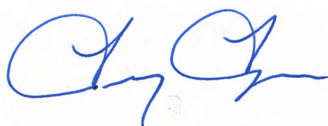
government to launch a national inquiry in partnership with the 60s Scoop Legacy of Canada, and called on the federal and provincial governments for long-term funding to support a First Nations Repatriation program;

- H. The Millennial Scoop is an ongoing practice which began in the 1980s and continues to this day, due to the sustained overrepresentation of Indigenous children and youth within the Canadian child welfare system; and
- I. First Nations children continue to lose their identity, culture, and kinship links as they are removed from their homes, families, and Nations by federal, provincial, and territorial child welfare systems.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly supports the call made by the Assembly of First Nations for Canada to acknowledge that there are generations of lost First Nations children who were and continue to be placed outside their communities, both within Canada and internationally, and who have never been reunified with their families;
- 2. The BCAFN Chiefs-in-Assembly calls on Canada to engage with First Nations Title and Rights holders to develop a Repatriation Strategy to identify First Nations children who are domestically and internationally displaced and have not reconnected with their families, communities, and/or Nations; and
- 3. The BCAFN Chiefs-in-Assembly calls on Canada to meaningfully engage and collaborate with First Nations to address the impacts of First Nations children who were removed from their families, communities, and Nations, both within Canada and internationally.

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Terry Teegee, BC Regional Chief



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BCAFN ANNUAL GENERAL ASSEMBLY
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Resolution 22/2023

**SUBJECT: COMMUNITY ADMINISTRATION OF KINDERGARTEN – GRADE 12 EDUCATION
TRANSPORTATION FUNDS**

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

SECONDED BY: CHIEF DON TOM, TSARTLIP FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. First Nations, particularly in rural and remote communities across British Columbia, rely on K-12 school transportation for their children and youth to get safely from their homes on and off reserve, to school, and to extracurricular activities. School transportation services are essential to enabling access to education, overcoming financial barriers, and supporting families and parents to work outside of the home;
- B. The *BC Tripartite Education Agreement (BCTEA): Supporting First Nations Student Success* between the Province of British Columbia, the First Nations Education and Steering Committee (FNESC) and Indigenous Services Canada (ISC), collectively known as "the Parties", sets out the foundation for further growth and changes to support the enhancement of the BC public education school system;
- C. As a component of the BCTEA, the Parties agreed to establish a First Nations Student Transportation Fund to address the transportation needs of First Nations students who live on reserve and attend BC Public schools;

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- D. The *First Nation Student Transportation Fund: Planning, Policy and Procedures Guide for 2023-2024* (the Guide) was jointly developed by FNECS, BC and ISC, and states that the “Board of Education and the individual First Nation will identify transportation needs and services to get all First Nations students enrolled in BC public schools to and from those schools,” as well as provide funding to enhance participation by First Nations in extracurricular activities;
- E. Current funding administration of both the school and extracurricular activity streams is administered via a paternalistic top-down approach through the School Boards, which assumes that First Nations communities cannot effectively administer transportation funding for their membership;
- F. 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, passed legislation committing to implement, affirms:

Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning;

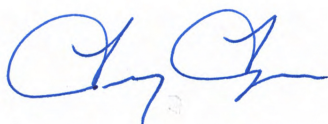
Article 21(1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities; and

- G. First Nations communities are best suited to know their unique community and family transportation needs.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly fully supports and upholds First Nations’ jurisdiction, self-determination and decision-making around administration and service-provision of K-12 transportation between home, school, and extracurricular activities; and
- 2. The BCAFN Chiefs-in-Assembly calls on the Province of British Columbia to respect First Nations’ jurisdiction and decision-making surrounding K-12 transportation needs and to administer funds directly to First Nations who wish to exercise their jurisdiction over transportation in a timely manner to appropriately support our families.

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Terry Teegee, BC Regional Chief



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Resolution 23/2023

SUBJECT: SUPPORT FOR INDIGENOUS CHILD & FAMILY SERVICES DIRECTORS OUR CHILDREN OUR WAY SOCIETY

Moved BY: CHIEF JAMES HOBART, SPUZZUM FIRST NATION

SECONDED BY: PROXY SEMPULYAN GONZALES, SQUAMISH NATION

DECISION: ABSTENTION: PROXY SABRINA CAMPBELL, AHOUSAHT FIRST NATION
OBJECTIONS: CHIEF KUKPI7 CASIMIR, TK'EMLÚPS TE SECWÉPEMC, KUKPI7 DARREL DRANEY, SKEETCHESTN
CARRIED

WHEREAS:

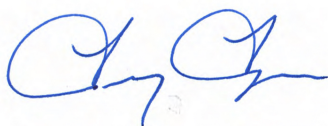
- A. First Nations have an inherent right of self-determination, including jurisdiction relating to the children and families of those Nations;
- B. First Nations' inherent right of self-determination will only be achieved through the recognition of our inherent jurisdiction for our children and families,
- C. Aboriginal People, as defined under Section 35 of the Constitution of Canada, recognize that our children and families are the cornerstone of our Nations' futures;
- D. under an interim delegation model, over 120 First Nations communities (over 60% of the First Nations communities in BC) created their own Indigenous Child & Family Services agencies;

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Terry Teegee, BC Regional Chief

- E. the 120+ First Nations communities affiliated with an Indigenous Child & Family Services agency have endorsed their agencies through Band Council Resolutions as their child & family service providers as an interim measure while they determine their pathways to resume jurisdiction and stand up their respective laws, legal orders and inherent and treaty rights regarding their children;
- F. those Indigenous Child & Family Services agencies have operated for decades under colonial legislation and with inadequate funding, they have nonetheless developed culturally-based programs and services to support wellness among First Nations children and families;
- G. First Nations have accumulated extensive experience and expertise through the operation of their Indigenous Child & Family Services agencies and benefit from the broad-based expertise and mutual support of the Indigenous Child & Family Services Directors Our Children Our Way Society;
- H. those First Nations that remain unaffiliated with an Indigenous Child & Family Services agency have not been supported to develop their own expertise in the development of child and family services;
- I. the Indigenous Child & Family Services Directors Our Children Our Way Society has created a Secretariat to provide centralized support for operations, practice, governance and research related to Indigenous child & family services, and is building the Secretariat into a regional centre for excellence in Indigenous child & family services;
- J. the Indigenous Child & Family Services Directors Our Children Our Way Society has expanded its membership criteria to include Nations not affiliated with an ICFSD agency, and membership remains optional for First Nations;
- K. in 2017, the Government of Canada (represented by Indigenous Services Canada (ISC)), the Government of British Columbia (represented by the Ministry of Children and Family Development (MCFD)), and the BC Assembly of First Nations (BCAFN), the First Nations Summit (FNS) and the Union of BC Indian Chiefs (UBCIC), working collectively as the First Nations Leadership Council (FNLC) signed a Reconciliation Charter that committed the parties to work in partnership to achieve First Nations child welfare reform via a Tripartite Working Group (TWG) made up of Canada, the Province, and the FNLC to implement concrete actions to support legislative reform, program and policy

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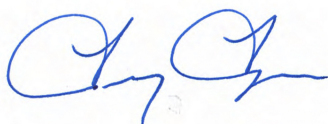
development and an effective fiscal model to support First Nations children and families in BC;

- L. through resolutions at the Chiefs' Assemblies (UBCIC Resolution no. 2017-06, FNS Resolution #0217.19, BCAFN Resolution 06/2017), the Chiefs in BC endorsed and supported the work on Child Welfare reform under the Tripartite process between BC, Canada, and the BC Assembly of First Nations, First Nations Summit (FNS), and Union of BC Indian Chiefs (UBCIC), working together as the First Nations Leadership Council, and effectively and fully collaborating with First Nations Sectoral Councils, Delegated Agencies and the First Nations Directors Forum; and
- M. In June 2023, Chiefs supported the development of a long-term funding agreement, that ensures the holistic transformation of First Nations Child and Family Services (FNCFS) to a new fiscal framework, which supports First Nations' resumption of jurisdiction over their children and families and realizes the intention and spirit of the UN Declaration and recent legislation and judicial decisions, through UBCIC Resolution 2023-26.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chief-in-Assembly recognize the Indigenous Child & Family Services Directors Our Children Our Way Society as a source of expertise in the development and delivery of Indigenous child & family services;
2. The BCAFN Chiefs-in-Assembly directs the BCAFN, working with the Union of BC Indian Chiefs (UBCIC) and the First Nations Summit (FNS) as the First Nations Leadership Council (FNLC) and with BC and Canada as the Tripartite Working Group on Children and Families (TWG), to support the Our Children Our Way Society in their work to be an optional resource available to support all First Nations in BC in accessing and delivering culturally-based child & family services;
3. The BCAFN Chiefs-in-Assembly call on Canada and British Columbia to provide the resources needed for the Indigenous Child & Family Services Directors Our Children Our Way Society to provide operations, practice, governance and research support to all First Nations in BC who wish to access services from the Our Children Our Way Society; and
4. The BCAFN Chiefs-in-Assembly call on the BCAFN, working with UBCIC and FNS as the FNLC, and Canada and British Columbia as the TWG, to collaborate with the Indigenous Child and Family Services Directors Our Children Our Way Society in the TWG's ongoing


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work planning for the resumption of jurisdiction by Nations including developing policy and fiscal frameworks required for this resumption of jurisdiction.

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BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
September 19, 20, & 21, 2023
Hybrid - In person & online via Zoom

Resolution 24/2023

SUBJECT: SUPPORT FOR EQUITABLE FIRST NATIONS LANGUAGES REVITALIZATION FUNDING

MOVED BY: CHIEF KEN WATTS, TSESHAHT FIRST NATION

SECONDED BY: PROXY JUDY WILSON, SKAWAHLLOOK FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. First Nations have the inherent rights to revitalize, learn, use, transmit, and access services in their First Nations language;
- B. These rights are affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, which the government of Canada has adopted without qualification, and which British Columbia and Canada have committed to implement through legislation:

Article 13 1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons. 2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means;

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

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cultural methods of teaching and learning. 3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including 14 those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language; and

Article 16 1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination;

- C. The First Peoples Cultural Council's (FPCC) *2022 Report on the Status of BC First Nations Languages* reported that First Nations have seen an increase in First Nations language learners and semi-speakers, and affirms the role of increased funding in the success of First Nations language revitalization activities;
- D. However, many First Nations still face barriers in their work to revitalize, learn, use, transmit, and access services in their First Nations language. A critical, well-known barrier is access to needs-based, sustainable, flexible funding that can support First Nations' self-determined languages revitalization;
- E. First Nations languages do not receive sufficient protections or supports, especially when compared to the privilege afforded to English and French as Canada's recognized official languages;
- F. The Assembly of First Nations (AFN) *Revitalizing First Nations Languages: A Costing Analysis* estimates the annual cost of First Nations languages revitalization across Canada to be \$2.003 billion;
- G. The Government of Canada has only committed approximately \$52 million to First Nations languages across Canada in 2024-2025 and subsequent years, despite their legislative commitments to facilitate the provision of adequate and sustainable funding for First Nations languages in the *Indigenous Languages Act*;
- H. FPCC estimates that the resulting funding gap for BC First Nations languages ranges from 30-40 million each year from 2024-2029; and
- I. In July 2023, at the Assembly of First Nations Annual General Assembly, First-Nations-in-Assembly voted to not pass draft resolution 26 *Equitable Funding for Languages Revitalization*, which sought ratification for a new Regional Allocation Formula for the Department of Canadian Heritage Indigenous Languages Component funding. This formula was proposed by the AFN Chiefs Committee on Languages (CCOL); however, BC Chiefs expressed concern that the proposed formula would significantly negatively impact the amount of funding for the BC region (as well as several other regions) and that more work was needed to arrive at a consensus-based, data-driven formula.

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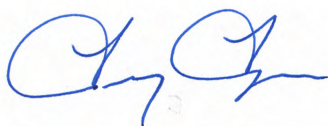


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THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly call on the Government of Canada to fulfill their legislative requirements to fund all First Nations languages equitably based on the real costs to reclaim, revitalize, maintain, and strengthen First Nations languages;
2. The BCAFN Chiefs-in-Assembly call on the Government of Canada to immediately address funding shortfalls for all First Nations regions that are oversubscribed for language revitalization initiatives;
3. The BCAFN Chiefs-in-Assembly denounce the fact that the Government of Canada has aimed to force First Nations into the untenable position of having to decide which First Nations languages are harmed and which are supported through the Regional Allocation Formula, and acknowledge the importance of all First Nations languages across the country;
4. The BCAFN Chiefs-in-Assembly call on the AFN and Chiefs Committee on Languages, Technical Committee on Languages and Assembly of First Nations (AFN) to continue their work to develop an equitable Regional Allocation Formula and to arrive at a consensus-based recommendation to bring back to the AFN First Nations-in-Assembly to be reviewed;
5. The BCAFN Chiefs-in-Assembly call on the Chiefs Committee on Languages, Technical Committee on Languages and the AFN to continuously monitor the equitability of the Regional Allocation Formula and its impact on regional language revitalization activities, and engage in research that informs the future use of additional factors and improved data quality; and
6. The BCAFN Chiefs-in-Assembly call on the AFN to ensure that its advocacy does not detract or hinder existing First Nations agreements which contain language components from advancing their current language processes.

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Terry Teegee, BC Regional Chief



BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING

September 19-21, 2023

Hybrid - In person & online via Zoom

Resolution 25/2023

SUBJECT: ENDORSEMENT OF THE ACTION PLAN FOR DISASTER RISK REDUCTION BY FIRST NATIONS IN BC (2023 – 2030)

Moved by: DEPUTY CHIEF HARLAN SCHILLING, DAYLU DENE FIRST NATION

SECONDED BY: CHIEF LYNDIA PRICE, ULKATCHO FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. Resolution 24/2021 established the need for a BC First Nations Regional Action Plan for Disaster Risk Reduction, recognizing the importance of First Nations' full and equal participation in emergency management decision-making and implementation processes in their territories.
- B. the United Nations Sendai Framework on Disaster Risk Reduction guides disaster risk reduction efforts, acknowledging the increasing frequency and intensity of natural disasters, especially in light of climate change. The Framework emphasizes a people-centered and inclusive approach to disaster management, particularly for historically marginalized communities 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 *United Nations Declaration on the Rights of Indigenous Peoples*, adopted by the government of Canada without qualifications, affirms the rights of Indigenous peoples to participate in decision-making processes, maintain their traditional lands, territories, and resources, and determine priorities for their development.

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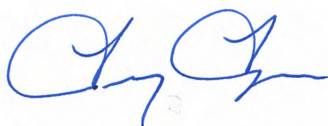
Terry Teegee, BC Regional Chief

- E. as directed, the First Nations Leadership Council and the First Nations Emergency Services Society engaged an independent contractor, Four Directions Management Services, to prepare a draft Action Plan for Disaster Risk Reduction by First Nations in BC (2023 – 2030) that identifies 30 Calls to Action to strengthen disaster risk governance, invest in disaster risk reduction for resilience, enhance disaster preparedness, and ensure a "Build Back Better" approach in recovery and reconstruction.
- F. the draft Action Plan for Disaster Risk Reduction by First Nations in BC (2023 – 2030) was presented at the 20th Annual General Meeting September 19-21, 2023 for adoption.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly fully endorses the Action Plan for Disaster Risk Reduction (2023 – 2030), recognizing its significance in advancing disaster resilience, preparedness, and recovery for First Nations communities in British Columbia.
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 and staff, working as the First Nations Leadership Council, along with the First Nations Emergency Services Society, prepare an implementation plan to give effect to the Action Plan for Disaster Risk Reduction, and that the Implementation Plan not limit, interfere or prohibit First Nations or First Nation organizations from advancing at their own pace nor their locally developed mandates, priorities, strategies, authorities and representative organizations.
3. The BCAFN Chiefs-in-Assembly call for the new *Emergency Program Act Modernization* legislation, policies and regulations to respect, empower and enable the 30 Calls to Action and intentions of the BC First Nation Regional Action Plan and any locally developed action plans or strategies.
4. The BCAFN Chiefs-in-Assembly support formally recognizing and adopting the International Day for Disaster Risk Reduction, initiated in 1989 by the United Nations General Assembly, held every October 13th, promotes a global culture of risk awareness and disaster reduction, celebrating efforts to reduce exposure to disasters and raise awareness about risk management. Utilizing this day for annual recognition and promotion will foster preparedness planning and encourage training drills/exercises to enhance community awareness among First Nations in BC.
5. The BCAFN Chiefs-in-Assembly urgently request the provincial and federal governments to acknowledge the persistent underfunding of First Nations in emergency management and move towards rectifying historical and ongoing systemic challenges through the establishment and consistent replenishment of a "First Nations Disaster Risk Reduction (DRR) Fund." We call for the creation of this dedicated First Nations DRR Fund to enable the meaningful implementation of the Action Plan for Disaster Risk Reduction by First Nations in BC (2023 – 2030). A dedicated First Nations DRR Fund, jointly funded by both levels of government, is an investment in disaster

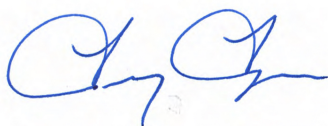
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resilience for First Nations communities and will serve as a demonstrable commitment to upholding the principles of the United Nations Declaration on the Rights of Indigenous Peoples

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BCAFN 20th ANNUAL GENERAL MEETING
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Hybrid - In person & online via Zoom

Resolution 26/2023

SUBJECT: PROVINCIAL PUBLIC SAFETY AND POLICING AND MODERNIZATION

Moved BY: CHIEF DANIEL MANUEL, UPPER NICOLA INDIAN BAND

SECONDED BY: CHIEF JERRY JACK, MOWACHAHT/MUCHALAHT FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration)*, which the government of Canada has adopted without qualification, and has, alongside the government of BC committed to implementing, 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, if they so choose, in the political, economic, social and cultural life of the State;

Article 7: 1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person. 2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group;

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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 22: 1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration. 2. States shall take measures, in conjunction with Indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination;

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 37: Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements;

- B. The Truth and Reconciliation Commission of Canada has called upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems and the integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements.
- C. The National Inquiry into Missing and Murdered Indigenous Women recognized that, “colonial structures and policies are persistent in Canada and constitute a root cause of the violence experienced by Indigenous women, girls, and 2SLGBTQQIA people”, which amounts to genocide. The Calls for Justice included a number of imperatives directed at governments and police services focused on reform and transformation of justice and policing;
- D. The historical and ongoing systemic discrimination perpetrated through Canada’s justice system targets and disproportionately impacts Indigenous peoples. First Nation communities and citizens have been subject to decades of discrimination, violence, racism, and bias within Canada’s justice system, and there continues to be denial and suppression of First Nations jurisdiction in the areas of justice, community safety, and policing. This context has contributed to negative impacts on the safety, health, and well-being of First Nations individuals and communities;
- F. Through BCAFN Resolution 16/2020, “Support for the Development of a National First Nations Justice Strategy,” BCAFN Chiefs-in-Assembly called for a national strategy to transform Canada’s justice system, and through BCAFN Resolution 12/2020, “Endorsement of the First Nations

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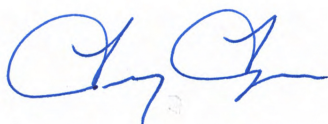
Justice Strategy” supported the BC First Nations Justice Strategy, which aims to 1) reform the current justice system; and 2) support restoration of First Nation legal traditions and structures;

- G. Through BCAFN Resolution 09/2021, “Need for Immediate Policing Reform and Support for First Nations Jurisdiction of Policing,” BCAFN Chiefs-in-Assembly called for the recognition of First Nations jurisdiction with respect to justice and policing, including the implementation of culturally relevant justice systems; and urged the provincial and federal governments to provide financial and technical assistance to all First Nations in support of their respective administration of justice. BCAFN Chiefs-in-Assembly also called on these governments to reform policing to end police violence against Indigenous Peoples and transform their relationship with Indigenous Peoples so that it is in alignment with the UN Declaration;
- H. On May 25th and 26th, 2022, the BCAFN and BC First Nations Justice Council held the Policing as an Essential Service Forum for First Nations chiefs, leadership, experts, technicians, and community members to discuss their vision for transformative change in First Nations policing and community safety, and to inform federal and provincial legislative commitments for reforming existing policing and justice systems. The results and recommendations of this forum were consolidated in the What We Heard report and were supported via BCAFN Resolution 22/2022 “Support for the Findings and Recommendations from the “What We Heard” Report on Police Reform and Policing as an Essential Service”;
- I. In April 2022, the provincial government released the ‘Special Committee on Reforming the Police Act’ (SCORPA) report with 11 recommendations for reforming policing in BC, including ending BC’s contract with the RCMP and potentially moving towards a provincial policing model similar to Ontario and Quebec;
- J. Through the Declaration Act Action Plan, BC has committed to implementing comprehensive policing reform to address systemic biases and racism through measures that include: updating the *Police Act*, BC Provincial Policing Standards, and mandatory training requirements; enhancing independent oversight and complaints processes; clarifying the roles and responsibilities of police officers in the context of complex social issues such as mental health, addiction and homelessness; contributing to the modernization of the federal First Nations Policing Program; and prioritizing implementation of the BC First Nations Justice Strategy;
- K. This work must be undertaken in consultation and cooperation with Indigenous Peoples in BC as required by the *Declaration on the Rights of Indigenous Peoples Act*; and
- L. The provincial government has proposed the establishment of a working group which includes the FNLC, FNJC, and BC Government to support these initiatives;

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly support the BCAFN, working together with the FNLC and FNJC, to establish a working group with the province of BC to advance commitments related to policing

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and public safety modernization in alignment with the UN Declaration and the Interim Approach;

2. The BCAFN Chiefs-in-Assembly call for the province to engage directly with First Nations title and rights holders on provincial policing and public safety modernization as required by the UN Declaration; and
3. The BCAFN Chiefs-in-Assembly call for the province to recognize First Nations jurisdiction and right to self-determination with respect to policing, community safety, and justice, and to establish coordination and enforcement mechanisms, and fiscal relationships which reflect First Nations inherent title, rights, laws, jurisdiction, and legal orders.

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September 19-21, 2023
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Resolution 27/2023

**SUBJECT: UPHOLDING AND STRENGTHENING FIRST NATIONS WATER RIGHTS IN
FEDERAL LEGISLATION**

MOVED BY: CHIEF DAN MANUEL, UPPER NICOLA INDIAN BAND

SECONDED BY: KUKPI7 ROSANNE CASIMIR, T'KEMLÚPS TE SECWÉPEMC

DECISION: CARRIED

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) was adopted by the Government of Canada and the Province of British Columbia without qualification and passed legislation affirming:

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.

B. The Government of Canada has committed to introducing new legislation following the repeal of the *Safe Drinking Water for First Nations Act* on June 23, 2022, and in alignment with the legal
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obligations required by the 2021 Safe Drinking Water for First Nations Class Action Settlement.

C. Under the United Nations Declaration Act Action Plan, the following actions are identified:

#17. Continue efforts to advance water and wastewater service transfer to First Nations communities and support self-determined service delivery models in First Nations communities. This includes advancing development and introduction, in consultation with First Nations, of new proposed First Nations drinking water and wastewater legislation that includes pathways to protect source water and legally enforceable safe-drinking water protections on First Nations lands comparable to those in place in provinces and territories.

#49. Create a Canada Water Agency and advance the modernization of the *Canada Water Act* to reflect Canada's freshwater reality, including climate change and Indigenous rights.

D. Canada's public consultative draft legislation, *An Act respecting drinking water, wastewater, and related infrastructure on First Nation lands* does not meet First Nations requirements identified through AFN Resolution 23/2022, mandates provided by First Nations over the last ten years, and responses from regional engagements, including BCAFN's Water Engagement on February 27, 2023.

E. As part of Budget 2023, Prime Minister Trudeau committed to establishing the Canada Water Agency, including the modernization of the Canada Water Act in consultation and cooperation with Indigenous peoples.

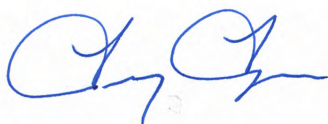
F. BCAFN Resolution 07/2021 directs BCAFN to:

a) Call on Environment and Climate Change Canada to engage with First Nations through a mutually consultative and collaborative framework that considers all First Nations interests, and rights in water, including but not limited to determining how the Canada Water Agency can support First Nations communities' access to safe drinking water on Reserves; and

b) Call on Environment and Climate Change Canada to ensure they seek the free, prior and informed consent from all title and rights holders before proceeding with the development of the Canada Water Agency;

G. AFN Resolution 53/2023 directs the AFN to call on Canada to fund the creation of a national First Nations-led water stewardship task force, under the guidance and meaningful participation of the Advisory Committee on Climate Action and the Environment (ACE) and the Chiefs' Committee on Housing and Infrastructure (CCOHI), to inform the implementation and co-development of any such agency, including related legislation, policies, and initiatives.

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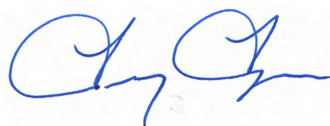
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- H. The Assembly of First Nations-in-Assembly has provided extensive direction to the Assembly of First Nations (AFN) through resolutions addressing drinking water and wastewater issues faced by First Nations, including Resolutions 26/2018, 01/2018, and 77/2018. More recently, AFN Resolution 23/2022 directed the AFN to call on Canada to recommit to meaningful co-development of legislation that, at a minimum:
- i. Recognizes First Nations rights and jurisdiction over lands and waters;
 - ii. Includes mandatory requirements for Canada to provide water and wastewater treatment that meets minimum national standards (or, where requested, the more stringent of the federal requirements or provincial standards governing residential water quality);
 - iii. Commits Canada to provide adequate and sustained funding (including at a minimum capital, operations and maintenance, and inspections) to address water and wastewater;
 - iv. Includes mechanisms to address transboundary waters;
 - v. Includes liability protection for owners and operators; and
 - vi. Includes governance structures that ensure First Nations are decision-makers in the provision of water and wastewater services.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly call on the National Assembly of First Nations and Indigenous Services Canada to work in full co-development and partnership to ensure that the minimum requirements as identified in AFN Resolution 23/2022 are sufficiently incorporated into *An Act respecting drinking water, wastewater, and related infrastructure on First Nation lands*, including full alignment with the *United Nations Declaration on the Rights of Indigenous Peoples*.
2. The BCAFN Chiefs-in-Assembly call on the Regional Chief and staff to support interested First Nations in filing a statement of claim, pursuing legal actions, and advocating nationally if the First Nations' requirements as outlined above are not meaningfully incorporated into the legislation;
3. The BCAFN Chiefs-in-Assembly call on Indigenous Services Canada to work in full co-development with BCAFN on the implementation of the Act, if successful, including, at a minimum, the creation of the First Nations Water Commission, the development of a funding framework and the development of drinking water and wastewater quality standards; and,
4. The BCAFN Chiefs-in-Assembly call on Environment and Climate Change Canada to enact the *Canada Water Act* modernization process, in full co-development and co-drafting with First Nations, including developing a mutually agreed upon co-development framework supported and endorsed by the AFN First Nations-in-Assembly resolution prior to the modernization process. The modernization of the Canada Water Act and the creation of the Canada Water Agency must include a mechanism for First Nations to assert their water rights and must comply with the requirements of the *United Nations Declaration on the Rights of Indigenous Peoples*.

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BCAFN ANNUAL GENERAL MEETING

September 19-21, 2023

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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-

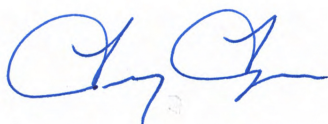
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Terry Teegee, BC Regional Chief

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;

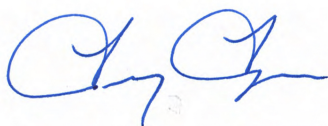
F. the BCAFN is in possession of a letter dated May 12, 2023, sent by Minister Murray Rankin to Lissa Dawn Smith, President of MNBC, in which, among other things, Minister Rankin makes the following utterly and completely offensive and unacceptable statements and commitments on behalf of the Province:

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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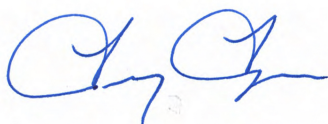


Terry Teegee, BC Regional Chief

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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BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
September 19-21, 2023
Hybrid - In person & online via Zoom

Resolution 29/2023

SUBJECT: GOVERNANCE COMMITTEE APPOINTMENTS AND TERMS OF REFERENCE

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

SECONDED BY: SEMPULYAN GONZALES, PROXY, SQUAMISH NATION

DECISION: CARRIED

WHEREAS:

- A. BCAFN Bylaw 9.1 requires the Chiefs-in-Assembly at this AGM to:
 - a. establish and provide terms of reference for a Governance Committee; and
 - b. appoint six (6) member delegates, reflective of regional diversity, with an equal number of women and men, to serve on the Governance Committee for a term of three (3) years;
- B. The Board has reviewed draft terms of reference for the 2023-2026 Governance Committee, a copy of which is attached as Schedule "A" (the "**Draft 2023-2026 Terms of Reference**");
- C. The Draft 2023-2026 Terms of Reference are substantially the same as the terms of reference for the Governance Committee that was adopted and ratified by the Chiefs-in-Assembly at the AGM in 2020 by Resolution 11/2020 and amended in 2022 by Resolution 04/2022;
- D. The BCAFN Board recommends that the Chiefs-in-Assembly approve and ratify the Draft 2023-2026 Terms of Reference; and
- E. The Chiefs-in-Assembly wish to accept the Board's recommendation to adopt and ratify the Draft 2023-2026 Terms of Reference and to appoint the 2023-2026 Governance Committee.

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THEREFORE BE IT RESOLVED THAT:

1. the following individuals are appointed to the 2023-2026 Governance Committee, to serve until the close of the AGM in 2026:
 - a. Chief Jerry Jack
 - b. Chief Ken Watts
 - c. Chief Victor Isaac; and
 - d. Chief Sid Scotchman
2. the Draft 2023-2026 Terms of Reference are hereby ratified and approved.

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Resolution 30/2023

SUBJECT: ELECTIONS APPEAL COMMITTEE APPOINTMENTS AND TERMS OF REFERENCE

MOVED BY: PROXY SEMPULYAN GONZALES, SQUAMISH NATION

SECONDED BY: CHIEF VICTOR ISAAC NAMGIS FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. BCAFN Bylaw 10.1 requires the Chiefs-in-Assembly at this AGM to:
 - a. appoint three (3) individuals to serve on a committee to hear and decide appeals of BCAFN election results, each for a term of three (3) years (the **"2023-2026 Elections Appeal Committee"**), and
 - b. provide terms of reference for that committee;
- B. The Board has reviewed draft terms of reference for the 2023-2026 Elections Appeal Committee, a copy of which is attached as Schedule "A" (the **"Draft 2023-2026 Terms of Reference"**);
- C. The Draft 2023-2026 Terms of Reference are substantially the same as the terms of reference for the Elections Appeal Committee that were adopted and ratified by the Chiefs-in-Assembly at the AGM in 2020 by Resolution 12/2020 and 13/2020;
- D. Sections 5.2 and 5.3 of the Draft 2023-2026 Terms of Reference clarify that the term of the individuals appointed to the 2023-2026 Elections Appeal Committee will begin after the close of the appeal period after this AGM or, if an appeal is filed, after the outcome of that appeal, whichever is later;

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- E. The BCAFN Board recommends that the Chiefs-in-Assembly approve and ratify the Draft 2023-2026 Terms of Reference; and
- F. BCAFN Bylaw 10.3 requires that the individuals appointed to the Elections Appeal Committee will, collectively, have the following mix of skills and experience:
 - (i) experience managing or supervising elections,
 - (ii) legal expertise,
 - (iii) experience adjudicating disputes as part of an administrative tribunal or similar body, and
 - (iv) familiarity with BCAFN processes and procedures; and
- G. The Chiefs-in-Assembly wish to accept the Board's recommendation to adopt and ratify the Draft 2023-2026 Terms of Reference and to appoint the 2023-2026 Elections Appeal Committee.

THEREFORE BE IT RESOLVED THAT:

- 1. the following individuals are appointed to the 2023-2026 Elections Appeal Committee, to serve until the close of the appeal period after the 2026 AGM or, if an appeal is filed at that AGM, after the outcome of that appeal, whichever is later:
 - a. Chief Lara Mussell, Skwah First Nation
 - b. Chief Victor Isaac, Namgis First Nation; and
 - c. Leah George Wilson, Tsleil-Waututh Nation.
- 2. the Draft 2023-2026 Terms of Reference are hereby ratified and approved.

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Resolution 31/2023

SUBJECT: BCAFN APPOINTMENT TO THE FIRST NATIONS FORESTRY COUNCIL BOARD OF DIRECTORS

MOVED BY: SEMPULYAN GONZALES, PROXY, SQUAMISH NATION

SECONDED BY: LEAH GEORGE-WILSON, PROXY, TSLEIL-WAUTUTH NATION

DECISION: CARRIED

WHEREAS:

- A. The First Nations Forestry Society, as represented under the First Nations Forestry Council (FNFC), supports and assists First Nations in their efforts to improve and sustain the economic wealth and well-being of BC First Nations based on sustainability principles and Indigenous values that ensure the viability of the forests and lands for current and future generations.
- B. The FNFC supports First Nations in their work with governments and others to ensure that First Nations' priorities, values, and principles are factored into forestry-related legislation, policy and program development.
- C. The FNFC is the body mandated by First Nations in BC to work on their behalf to implement the *BC First Nations Forestry Strategy*, which is a collaborative effort with the province of BC and First Nations that is intended to increase the participation of First Nations in the governance and stewardship of forests lands and resources, advance reconciliation, and support the full implementation of the United Nations Declaration on the Rights of Indigenous Peoples.
- D. The FNFC achieves its mandate by:

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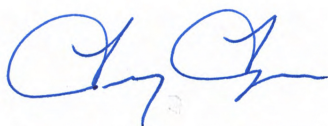
Terry Teegee, BC Regional Chief

- Serving as an advocacy voice, and acting in the best interests, of all 204 First Nations in BC in achieving their forestry-related priorities and objectives;
 - Overseeing forestry-related policy analysis and research;
 - Participating in policy and program planning processes related to First Nations forestry and forestry development issues;
 - Providing leadership in the implementation of the *BC First Nations Forestry & Land Stewardship Action Plan*; and
 - Participating in communications and regularly reporting on progress and activities to First Nations and their representative political organizations.
- E. In accordance with FNFC Bylaw 7.5, the BC Assembly of First Nations (BCAFN), as one of the three (3) Founding Members of the First Nations Forestry Society, which also includes the Union of BC Indian Chiefs and the First Nations Summit, must appoint one (1) Director per its own internal procedures where a vacancy shall arise.
- F. Chief Bill Williams of Squamish Nation, BCAFN's appointed FNFC Director, has resigned from the FNFC Board due to retirement as of September 21, 2023.
- F. In accordance with FNFC Bylaw 7.8, the First Nations Forestry Society will request that the Founding Member who appointed such Director promptly appoint a replacement in accordance with Bylaw 7.5.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly endorse the appointment of Chief Robert Michell of Stellat'en First Nation as Director of the First Nations Forestry Council for a three-year term effective September 21, 2023, in alignment with the BCAFN Regional Chief's term of office, and will be reviewed after the BCAFN Annual General Assembly in 2026.

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Resolution 32/2023

SUBJECT: **SUPPORT FOR INTERNATIONAL ENGAGEMENT AND JOINT CLIMATE ACTION BETWEEN FIRST NATIONS IN BC AND INDIGENOUS PEOPLES WORLDWIDE**

Moved BY: **CHIEF LYNDIA PRICE, ULKATCHO FIRST NATION**

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

DECISION: **CARRIED**

WHEREAS:

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

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 8: (1) Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture; **(2)** States shall provide effective mechanisms for prevention of, and redress for: **(a)** Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities; **(b)** Any action which has the aim or effect of dispossessing them of their lands, territories or resources; **(d)** Any form of forced assimilation or integration;

Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relations with their traditionally owned or otherwise occupied and used lands, territories, waters, and coastal seas and other resources and to uphold their responsibilities to future generations in this regard;

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

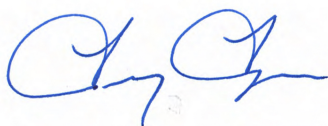
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establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination;

- B. Indigenous Peoples worldwide have experienced consistent patterns of historical injustices and racism resulting from the colonization and dispossession of their lands, territories and resources, and the doctrines, policies and practices that supported colonialism. These ideologies often promoted the supposed superiority of certain groups or individuals based on national origin, race, religion, ethnicity, or cultural distinctions.
- C. International action and solidarity between Indigenous Peoples have been immensely important in the struggle against colonialism, including in the drafting, advocacy and eventual adoption of the *Declaration on the Rights of Indigenous Peoples* in 2007 by the United Nations General Assembly.
- D. International exchange between Indigenous peoples has provided opportunities for First Nations in British Columbia to learn about many diverse experiences from around the world and to mutually strengthen efforts to advance recognition of Indigenous rights here and elsewhere, including at the United Nations.
- E. Exchange between Indigenous Peoples worldwide continue to be a source of inspiration and strategy in support of the struggle to end all forms of colonialism, to seek redress for the injustices suffered by Indigenous Peoples to date, and to realize the full implementation and respect for the *United Nations Declaration on the Rights of Indigenous Peoples*.
- F. It is unequivocal that human activities have warmed the atmosphere, ocean and land. The average temperature of the Earth's surface has reached 1.1°C above pre-industrial levels and will continue to increase as more GHG emissions are produced. Larger climatic extremes and changes are anticipated with every incremental increase in global warming, including more heatwaves, precipitation, wildfires, floods and droughts, and disruptions in the global water cycle (IPCC AR6, 2021).
- G. In 2019, the Chiefs-in-Assembly at the Assembly of First Nations (AFN) declared a First Nations Climate Emergency (Resolution 05/2019), recognizing “that the climate crisis constitutes a state of emergency for our lands, waters, animals and peoples, and that we will accordingly utilize our local, national, and international forums and partnerships to keep global warming below 1.5°C;”
- H. Indigenous Peoples worldwide are uniquely vulnerable to the climate emergency. When compounded by the alarming loss of biodiversity, ongoing environmental degradation, and the often precarious living conditions endured by Indigenous communities worldwide, climate destruction presents a dire and pressing threat to the very survival of Indigenous communities, particularly remote communities, women and children, whose territories face severe disruption. The complex crisis jeopardizes not only traditional food sources and livelihoods but also languages, traditions, cultures, and fundamental rights.
- I. Indigenous peoples are recognized as crucial contributors to effective climate action for several reasons. Their deep traditional ecological knowledge, accumulated over centuries, is essential for understanding, adapting to, and mitigating the impacts of climate change and can inform climate strategies and policies. Their profound spiritual and cultural connections to their lands and natural surroundings inspire a strong commitment to protecting the environment and ecosystem functions. Indigenous territories hold 80 percent of the world's biodiversity, and their land-based and

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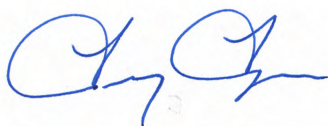


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stewardship practices prioritize sustainability to help conserve biodiversity, which is crucial for carbon sequestration and ecological balance. They also contribute to reducing greenhouse gas emissions through sustainable land use and clean energy development. Indigenous peoples exhibit climate adaptation leadership and resilience, offering valuable lessons for global efforts. Furthermore, their values, worldviews, and governance systems contribute to rethinking the cultural causes of climate change and shaping climate policies worldwide.

- J. The severity of climate change and its inequality urge bold and decisive actions, including establishing robust global partnerships and collaboration across sectors and societies at the global, national and local levels. These partnerships must actively recognize and respect Indigenous knowledge systems while fostering horizontal collaboration with non-Indigenous knowledge systems. The co-production of knowledge must be consistent with Indigenous protocols and guidelines, always prioritizing the recognition and respect of Indigenous peoples interconnected rights.
- K. Building bridges and collaboration between Indigenous peoples across the globe is essential to fighting the climate emergency and empowering Indigenous communities to address shared challenges, protect rights, and assert self-determination and cultural identity in a rapidly changing world. By building partnerships, Indigenous peoples could:
- **Find strength in unity and solidarity** to strengthen efforts to end all forms of colonialism, seek redress for ongoing injustices, amplify collective voices and advocate more effectively for environmental integrity, Indigenous human and inherent rights, interests, and concerns at local, national and international forums. Partnerships could provide a platform for joint advocacy and influence on climate policies, legislation and decision-making at different levels and forums, including the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity (CBD) and other venues where Indigenous peoples are under-represented.
 - **Sharing Indigenous Knowledge, practices and wisdom accumulated over generations**, which can be crucial for addressing climate challenges, including environmental conservation and sustainable resource management.
 - Fostering **the preservation and revitalization of languages, cultural practices, and traditions**. Sharing cultural experiences and stories helps maintain cultural identities and strengthen connections to ancestral heritage.
 - Enabling Indigenous communities to **pool resources, both financial and human**, to address shared issues such as land rights, economic development, healthcare, and education.
 - Enhancing **the climate resilience of Indigenous communities**. Collective responses could lead to more robust strategies for climate adaptation and mitigation.
 - **Sovereignty and Self-Determination**. By forming partnerships, Indigenous communities could assert their sovereignty and self-determination more effectively. This allows them to make decisions about their own governance, development, and future.
- L. Indigenous peoples and organizations have been tirelessly engaging in lobbying and advocacy internationally to elevate Indigenous voices, raise climate change awareness and advocate for policies that prioritize environmental protection, Indigenous rights and climate justice. Indigenous People participate through the Local Communities and Indigenous Peoples Platform (LCIPP) at the UNFCCC and through the International Indigenous Forum on Biodiversity (IIFB) at the CBD.

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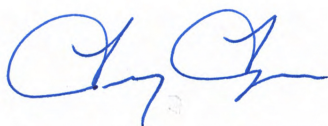
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- M. Based on Canada's commitment to both the Paris Agreement and the G7 2030 Nature Compact, Global Affairs Canada has established the *Partnering for Climate* program, which allocated \$15 million to help achieve the climate action objectives of Indigenous Peoples abroad by supporting the partnering of Indigenous Peoples in Canada with Indigenous Peoples in developing countries around the world.
- N. Article 72 of the *Canada United Nations Declaration on the Rights of Indigenous Peoples Act Action plan 2023-2038* proposes actions to enhance the participation of Indigenous peoples in decision-making on matters which would affect their rights and to advance Canada's contribution to the work of the entities of the UN system and other intergovernmental organizations.
- O. In 2021, BCAFN Chiefs-in-Assembly passed Resolution no. 05/21: *Supporting First Nations Community-based Climate Leadership*. This resolution, among others, directs the Regional Chief and BCAFN staff to pursue advocacy opportunities regarding climate change and sovereignty at multiple scales, including United Nations (UN) mechanisms related to climate response and the rights of Indigenous Peoples, the UN's Framework Convention on Climate Change (UNFCCC), and building relationships to enable mutual learning with Indigenous Peoples from other parts of the world.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly reaffirms that First Nations' traditional knowledge, teachings and practices of sustainable management and conservation serve as positive contributions in addressing climate change adaptation and mitigation strategies, as well as First Nations' community-based climate actions.
2. The BCAFN Chiefs-in-Assembly direct the Regional Chief and staff to convene Indigenous Knowledge keepers worldwide to gather and provide key direction in ceremony to discuss climate stabilization and achieving climate justice
3. The BCAFN Chiefs-in-Assembly reaffirms Resolution 05/2021 *Supporting First Nations Community-based Climate Leadership*, which includes a mandate that directs the BCAFN to pursue advocacy opportunities regarding climate change and First Nations sovereignty at multiple scales and building relationships to enable mutual learning with Indigenous Peoples from other parts of the world.
4. The BCAFN Chiefs-in-Assembly direct the Regional Chief and staff to support the development of partnerships between First Nations in BC with Indigenous peoples abroad, and in particular for projects which:
 - i. Build relationships to act in unity and solidarity for the well-being of Indigenous peoples and the integrity of the environment worldwide
 - ii. Support collective action and advance climate leadership
 - iii. Strengthen the recognition of Indigenous peoples' knowledge systems, worldviews and values as contributions to addressing the climate emergency
 - iv. Advance the recognition and protection of Indigenous rights, assert sovereignty and self-determination both domestically and internationally
 - v. Strengthen Indigenous Peoples' representation in climate change forums and intergovernmental fora


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- vi. Prioritize the voices of Indigenous women and gender-diverse peoples in climate action.
- 5. The BCAFN Chiefs-in-Assembly direct the Regional Chief and staff to engage in international advocacy at multiple scales, including at the United Nations (UN), such as the UN Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity.
- 6. The BCAFN Chiefs-in-Assembly calls on the Government of Canada and the Province of British Columbia to support international Indigenous partnerships and to provide more funding for the representation of Indigenous peoples in international conferences, particularly youth, women and gender-diverse members from First Nations communities in British Columbia.

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Resolution 33/2023

SUBJECT: SUPPORT TO ESTABLISH A BCAFN YOUTH COUNCIL

MOVED BY: TAYLOR BEHN-TSAKOZA, PROXY, MOWACHAHT/MUCHALAHT FIRST NATION

SECONDED BY: CHIEF KEN WATTS, TSESHAHT FIRST NATION

DECISION: CARRIED

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), which has been adopted without qualification by the Province of British Columbia (Bill 41) and the Government of Canada (Bill C-15), states:

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 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 22

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1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration

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.

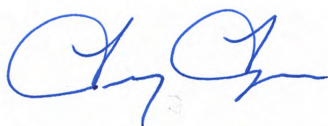
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

- B. First Nations youth disproportionately represent the child welfare system, youth incarceration system, youth homelessness and youth suicide rates in BC.
- C. First Nations youth perspectives and guidance are paramount to the leadership, governance, decision-making, and solutions with respect to issues that disproportionately impact youth and First Nations Rights, Title, and Interests in BC more broadly.
- D. The diversity of First Nations languages, customs, legal orders, and traditional knowledge in BC reflects the need for increased opportunities for First Nations youth to provide input, guidance and direction through adequate regional representation.
- E. First Nations youth require increased capacity-building and leadership opportunities to be meaningfully engaged in policy and governance initiatives in BC in spaces that promote unified regional, national, and international priorities and advocacy on issues affecting First Nations youth in BC.
- F. First Nations youth-led initiatives are chronically underfunded by the provincial and federal governments, creating barriers for First Nations youth at the community and regional level to engage on issues that impact them.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly direct BCAFN staff to engage with First Nations youth across BC to inform the scope, mandate and structure of the BCAFN Youth Council, pending adequate resources;
- 2. The BCAFN Chiefs-in-Assembly support the creation of a BCAFN Youth Council, pending adequate resources, as guided by the direction provided by First Nations youth in BC;


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3. The BCAFN Chiefs-in-Assembly direct BCAFN staff to identify and advocate for funding from the provincial and federal governments to adequately resource and support the establishment of a BCAFN Youth Council; and
4. The BCAFN Chiefs-in-Assembly direct BCAFN staff to support the development of a Terms of Reference for the BCAFN Youth Council in partnership with the newly established council members and provide the administrative capacity to support the BCAFN Youth Council in fulfilling its mandates, pending adequate resources, and bring back to the Chiefs-in-Assembly for ratification.

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BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
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Resolution 34/2023

SUBJECT: **COMMEMORATING 20TH ANNIVERSARY OF THE LEADERSHIP ACCORD**

Moved BY: **PROXY SEMPULYAN GONZALES, SQUAMISH NATION**

SECONDED BY: **KUKPI7 ROSANNE CASIMER, TK'EMLÚPS TE SECWÉPEMC**

DECISION: **CARRIED**

WHEREAS:

- A. On March 17, 2005, the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC) signed the *Leadership Accord*. The purpose of the Accord is to: affirm mutual respect between the participating organizations; formalize a cooperative working relationship to politically represent the interests of First Nations in BC and develop strategies and actions to bring about significant and substantive changes to government policy that will benefit all First Nations in BC; and focus on a range of issues and initiatives of common interest or concern among First Nations in BC, including consultation and accommodation, national processes, and social and economic program and service issues.
- B. The working relationship among the BCAFN, FNS, and UBCIC described in the *Leadership Accord* is referred to as the First Nations Leadership Council (FNLC). It is a political coalition with the purpose of generating power through unity, cooperation, and collaboration between existing political First Nations organizations, each of which continues to uphold its own governance rules and accountability mechanisms to its constituents. The mandate of the FNLC is determined only through the mandates of each of its participating organizations – the BCAFN, FNS, and UBCIC – as established via resolution of their respective memberships.

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- C. In 2010, an All Chiefs Task Force led a review of the processes of, and work undertaken by, the FNLC pursuant to the Leadership Accord, and shared recommendations to improve processes for increased unity and efficiency. This included effectively calling for the development of a Terms of Reference for the First Nations Leadership Council.
- D. Through a process of engagement and All Chiefs Assemblies in 2010 and 2011, a draft Terms of Reference for the FNLC was developed. In June 2011, the BCAFN passed Resolution 06(d), 2011, *Endorsement of First Nations Leadership Council Terms of Reference and Accountability Framework*, formally adopting Terms of Reference for the FNLC and noting that it must be interpreted and implemented in a manner consistent with the mandates and other legal and contractual obligations of the three political organizations.
- E. Since the adoption of the FNLC Terms of Reference in 2011, a number of political developments have occurred, including but not limited to the *Commitment Document and Concrete Actions* (2015), the *Declaration on the Rights of Indigenous Peoples Act* (2019), and the *United Nations Declaration on the Rights of Indigenous Peoples Act* (2021). These have brought about a new political and legal landscape and, therefore, new opportunities for advancing common issues.
- F. March 17, 2025 will mark the twenty-year anniversary of the signing of the *Leadership Accord*. This is an opportunity for honouring our journey and accomplishments to date, recommitment through ceremony to unity on issues of common concern, and renewal of the processes of collaboration.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly support commemorating the 20th anniversary of the Leadership Accord in 2025, including updating the Leadership Accord for renewal on March 17th, 2025, and updating the FNLC Terms of Reference.
2. This process of renewal of the Leadership Accord and the FNLC Terms of Reference will include opportunities for title and rights holders to share their views individually and to come together to develop shared collective views and points of consensus.
3. The results of this process of renewal of the Leadership Accord and the FNLC Terms of Reference will be presented to an All Chiefs Assembly for review and consideration, as well as to each of the assemblies of the BCAFN, FNS, UBCIC.
4. The process to renew the FNLC Terms of Reference and Accountability Framework be completed in advance of March 2025.

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Resolution 35/2023

SUBJECT: SUPPORT FOR MORE ACCREDITED INDIGENOUS COUNSELLORS

Moved BY: KUKPI7 ROSANNE CASIMIR, TKEMLÚPS TE SECWÉPEMC

SECONDED BY: SEMPULYAN GONZALES, PROXY, SQUAMISH NATION

DECISION: CARRIED

WHEREAS:

- A. the Truth and Reconciliation Commission of Canada (TRC) estimates that 150,000 children were forced to attend Indian Residential Schools (IRS) nationwide, identifying that more than 4,100 children died at these facilities – although survivors and families say that number is much higher;
- B. the discovery of unmarked graves at former IRS across Canada, has confirmed our history and brought truth telling to the world;
- 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, passed legislation committing to implement, affirms:
 - Article 7(2):** Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
 - Article 8(1):** Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture;
 - (2): States shall provide effective mechanisms for prevention of, and redress for:
 - (a): Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

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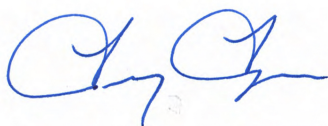
- (b): Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
- (c): Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
- (d): Any form of forced assimilation or integration;
- (e): Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them

- D. by BCAFN Resolutions, the BCAFN Chiefs-in-Assembly has cited the numerous horrors of Residential Schools and the forced removal of Indigenous children from their homes, and has emphasized the need for comprehensive healing supports for survivors, families and communities;
- E. the federal government has committed funding to Tkemlúps te Secwépemc for a Healing House and it is anticipated there will be additional funding commitments for healing centres throughout the province of BC and Canada;
- F. the programs and services offered through these healing centres, will be grounded in our language, culture and ways of knowing and being, and should be led by indigenous counsellors and clinicians; and
- G. there is a province-wide shortage of counsellors and an even a narrower margin for indigenous counsellors. Many of the existing indigenous mental health and wellness workers are facing “burn out” and are leaving their field/profession.

THEREFORE BE IT RESOLVED THAT:

- 1. the BCAFN Chiefs-in-Assembly advocate for funding to support communities that partner with accredited post-secondary institutions to offer indigenized mental health/counselling programs in order to train their members to be registered clinical Counsellors;
- 2. the BCAFN Chiefs-in-Assembly proactively work with First Nations Education Steering Committee (FNESC) to identify funding specific to the creation of additional accredited Indigenous counselling programs to fill the positions that will be created through the formation of the new healing centres;
- 3. the BCAFN Chiefs-in-Assembly support the Tkemlúps te Secwépemc initiative to create a dual graduate degree counselling program (Master and Doctoral) at TRU with an Indigenous cohort and will support any other communities working to establish similar programs with their local post-secondary institutions.
- 4. the BCAFN Chiefs-in-Assembly will continue to advocate for and create opportunities to support healing processes.

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Resolution 36/2023

**SUBJECT: SUPPORT FOR THE FNLC RELATIONSHIP PROTOCOL WITH THE MINISTRY OF
CITIZENS' SERVICES**

Moved BY: KUKPI7 ROSANNE CASIMIR, TK'EMLÚPS TE SECWÉPEMC

SECONDED BY: CHIEF LYNDAL PRICE, ULKATCHO FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. 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., committed to implement, affirms:

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.

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 13: Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions,

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philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

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 31: Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

- B. the Government of British Columbia has created the Ministry of Citizens' Services (CITZ) to provide a wide range of services to British Columbians across the province, both in person and online. Within CITZ, the BC Data Service (BCDS), leads cross-government data policy development and provides data analysis, tools, platforms, training, and support. The BCDS provides trusted data management, data analysis, and statistics about people in B.C. and is responsible for two major government priorities: implementation of B.C.'s *Anti-Racism Data Act* and delivery of the BC Data Plan, which includes co-development commitments on Indigenous data sovereignty and a framework for using Indigenous languages when interacting with the Government of B.C.
- C. The *Declaration on the Rights of Indigenous Peoples Act Action Plan* commits the Province to the following actions that fall within the responsibility of CITZ:
- Action 3.14:** Advance the collection and use of disaggregated demographic data, guided by a distinctions-based approach to Indigenous data sovereignty and self-determination, including supporting the establishment of a First Nations-governed and mandated regional data governance centre in alignment with the First Nations Data Governance Strategy.
- Action 3.15:** Adopt an inclusive digital font that allows for Indigenous languages to be included in communication, signage, services, and official records.
- D. The Province enacted the *Anti-Racism Data Act* with goals that include clarifying a purpose for collecting, using, and disclosing personal information to identify and eliminate systemic racism, and building trust with Indigenous peoples and racialized communities.

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- E. the UBCIC, the BC Assembly of First Nations, and the First Nations Summit, working together as the First Nations Leadership Council, have developed in collaboration with CITZ a draft Relationship Protocol which aims to create a process for joint dialogue, action, and cooperation that respects and recognizes the human rights of Indigenous Peoples and advances joint commitments described in the *Declaration on the Rights of Indigenous Peoples Act Action Plan* and the *Anti-Racism Data Act*.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly directs the Regional Chief to sign the draft Relationship Protocol between the Union of BC Indian Chiefs, the BC Assembly of First Nations, and the First Nations Summit, working collectively as the First Nations Leadership Council, and the Ministry of Citizens' Services (CITZ);
2. the BCAFN Chiefs-in-Assembly directs the Regional Chief to clearly articulate to the CITZ that the Protocol is not a substitute for CITZ to engage directly with Nations and is not a delegation of authority in any way; and
3. the 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, and CITZ to provide regular reports to the BCAFN Chiefs-in-Assembly on the ongoing collaborative objectives and efforts as identified in the attached Relationship Protocol.

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Resolution 37/2023

SUBJECT: SUPPORT FOR FIRST NATIONS INVOLVEMENT IN NEGOTIATIONS ON NEW
TRIPARTITE AGREEMENT FOR EMERGENCY MANAGEMENT SERVICES FUNDING

MOVED BY: CHIEF LYNDA PRICE, ULKATCHO FIRST NATION

SECONDED BY: SEMPULYAN GONZALES, PROXY, SQUAMISH NATION

DECISION: CARRIED

WHEREAS:

- A. The impacts of climate change will continue to exacerbate emergency events in BC, including wildfires, damaging storms, atmospheric rivers and floods, droughts and landslides.
- B. Wildfires in BC numbered over 1,642 from April 1, 2021 to March 28, 2022, with 869 million hectares burned, 181 evacuation orders, 304 evacuation alerts, a 56-day provincial state of emergency, and millions of dollars of costs (\$565 million) and estimated insurance damages (\$102 million) as a result of catastrophic loss to lands and critical infrastructure – the wildfire season in 2023 has been worse than 2022 and projected to continue into the winter.
- C. Flooding in BC reached unprecedented levels in 2021, with extreme rainstorms caused by atmospheric river events hitting several regions of the province and resulting in mudslides, landslides, and catastrophic flooding causing damage to infrastructure, roads, bridges and homes in and around First Nations communities in BC, with parts of BC being completely submerged in water causing at least \$450 million in damage with as many as 42 First Nations communities impacted.

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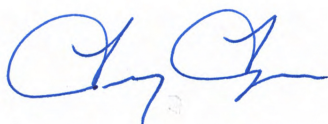
- D. Significant resources, financial, natural, and human, were expended during both wildfire and flooding crises; however, these resources were insufficient and/or poorly managed and allocated to address First Nations' needs, challenges and priorities.
- E. The United Nations Declaration on the Rights of Indigenous Peoples, which the government of Canada has adopted without qualification, and has, alongside the government of 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.

- F. The First Nations Summit, working with the Union of BC Indian Chiefs (UBCIC) and the BC Assembly of First Nations (BCAFN) as the First Nations Leadership Council (FNLC) entered into a tripartite memorandum of understanding (the MOU) in 2019 with the Government of Canada (represented by Indigenous Services Canada (ISC)), and the government of British Columbia (represented by Emergency Management BC (EMBC) and BC Wildfire Service (BCWS)) for the purpose of working collectively to advance meaningful recognition and enhanced capacity of First Nations within all pillars of emergency management (i.e., preparedness, mitigation, response, and recovery).
- G. The First Nations Summit Chiefs in Assembly passed Resolution #0619.17 "Support for Tripartite MOU between the First Nations Leadership Council, Indigenous Services Canada, and Emergency Management BC/BC Wildfire Service" endorsing the tripartite Memorandum of Understanding (MOU) between the UBCIC, BCAFN and FNS, working together as the FNLC, the Government of Canada (represented by ISC), and the Government of British Columbia (represented by EMBC and BCWS) that was signed on April 27, 2019, and also called upon the federal and provincial governments to provide permanent, reliable, and appropriate funding directly to First Nations communities to prepare for, respond to and mitigate impacts resulting from wildfires and other emergencies; and called upon the federal and provincial governments to provide permanent, reliable, and appropriate funding for the FNLC, First Nations Emergency Services Society of BC, and other like-minded organizations to work together to provide various supports to First Nations communities, and be full and equal partners in the MOU.
- H. Canada, represented by ISC and British Columbia, represented by EMBC & BCWS, have in place a ten-year bilateral service agreement signed in 2017 providing for the delivery of services meant to "improve emergency management in First Nation communities and begin to negotiate service agreements with the provinces and territories to ensure First Nations received service equivalent to municipalities" (the Bilateral Agreement).

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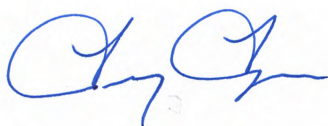
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- I. ISC and EMBC & BCWS sent a letter to the FNLC dated March 24th, 2022 expressing their intent to open discussions, and negotiations, regarding the Bilateral Agreement and include First Nations in a new relationship that implements the UN Declaration and respects First Nations' jurisdiction and inherent right of self-government, and with the recognition that First Nations require resources, infrastructure and enhanced capacity in order to advance the practice of emergency management in a manner that supports and reinforces their own governance, institutions and decision-making authority.
- J. First Nations must be supported by ensuring adequate financial and technical resources are in place to respond to climate change impacts and for First Nations-developed mitigation and adaptive measures (e.g. monitoring, and impact assessments).

THEREFORE BE IT RESOLVED THAT:

1. the BCAFN Chiefs-in-Assembly call upon the federal and provincial governments to commit to working in partnership with First Nations to address all phases of emergency management issues, and to:
 - a. provide permanent, reliable, and appropriate funding directly to First Nations communities to prepare for, respond to and mitigate impacts resulting from wildfires and other emergencies, and
 - b. provide permanent, reliable, and appropriate funding for the First Nations Summit (FNS), the Union of BC Indian Chiefs (UBCIC) and the BC Assembly of First Nations (BCAFN) working together as the First Nations Leadership Council (FNLC), First Nations Emergency Services Society of BC, and other like-minded organizations to work together to provide various supports to First Nations communities.
2. the BCAFN Chiefs-in-Assembly direct the BCAFN Regional Chief to request that all funding allocations submitted by First Nations for all emergencies be immediately finalized and reimbursed by Emergency Management and Climate Readiness BC, and or Indigenous Services Canada.
3. the BCAFN Chiefs-in-Assembly support Canada and British Columbia in expanding the Bilateral Agreement to a new trilateral agreement with First Nations in BC, for the purposes of ensuring satisfactory, effective and equitable funding and resourcing within the four pillars of emergency management in First Nation communities and to be full and equal partners in the new tripartite agreement.

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Resolution 38/2023

SUBJECT: CALL FOR INCREASED PARTICIPATION AND FUNDING FOR FIRST NATIONS FISHERIES SPECIAL CHIEFS MEETING REGARDING TRILATERAL SALMON ACCORD

MOVED BY: CHIEF JAMES HOBART, SPUZZUM FIRST NATION

SECONDED BY: CHIEF DALTON SILVER, SUMAS FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. Wild Salmon is integral to many First Nations livelihoods, culture, traditions and spirituality. First Nations continue to protect wild salmon from the threats of today, including climate change and the impacts of open net pen fish farms, in accordance with our ancestral stewardship obligations;
- B. The declining salmon stocks and other freshwater and salt-water fisheries cause First Nations in BC to experience a loss of opportunity to practice their culture, harvest food resources, and be self-governing and reflects an infringement on First Nations' food, social and ceremonial rights;
- C. First Nations in BC have diverse interests, perspectives and priorities with respect to the management, rehabilitation and protection of wild salmon, and as self-determining Nations, share a responsibility to manage resources in a manner that respects the interdependence we have with one another;
- D. First Nations in BC have a common interest in increasing decision-making and control with respect to the regulation, policy planning, management, protection and rehabilitation of fish,

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habitat and fisheries;

- E. The *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), which the government of Canada has adopted without qualification, and has, alongside the government of BC, committed to implement, affirms:
- a. 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.
 - b. 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 reasons of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
 - c. Article 29:
 - 1. Indigenous peoples have the right to the conservation and protection of the environment 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.
 - d. 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. On June 21, 2023, the Government of Canada tabled the *United Nations Declaration Act's* National Action Plan, with the goal of taking all measures necessary to ensure that federal laws are consistent with the Declaration. The Action Plan identifies the following action plan measures:
- a. #36: Pursue amendments and reforms to fisheries legislation regulation or policies to support self-determination and the meaningful implementation and exercise of Indigenous fishing rights;
 - b. #37: Enhance collaborative tools agreements and transparent approaches to better deliver on the collaborative design, development, delivery and management of fisheries as well as conservation and protection of fish habitat;
 - c. #38: Provide predictable and flexible funding that will ensure Indigenous partners have the capacity to provide fisheries, habitat, science and oceans and marine-related services. Provide predictable and flexible funding to ensure Indigenous nations and organizations have the capacity to meaningfully participate in advisory, co-management, and decision-making processes tied to aquatic resources and oceans management;
 - d. #39: Develop legislation, policy, program and funding to ensure fisheries guardians can meet community needs;

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- e. #40. Develop mechanisms that respect and incorporate Indigenous Knowledge as a distinct knowledge system in the management of fisheries, fish habitat, conservation, marine safety and protection of the marine environment;
 - f. Implement the Pacific Salmon Strategy Initiative to protect and revitalize salmon populations and their habitats.
 - g. #43. Establish effective mechanisms and processes to address systemic racism in the enforcement of fisheries laws and regulations;
 - h. #44. Pursue the development of national aquaculture legislation;
- G. The BC First Nations Fisheries Council (FNFC) was mandated to coordinate BC First Nations' fisheries interests and develop a cohesive and united voice among Nations;
- H. BCAFN Resolution 08/2020, *The Decline of Pacific Salmon and Support For A Cohesive BC First Nations Fisheries Strategy*, expressed its full support for the First Nations Fisheries Council's development of a cohesive BC First Nations Fisheries Strategy that would let First Nation regional fishery organizations work together to advise the government and coordinate strategic action to restore salmon stocks;
- I. The FNFC is coordinating the collective efforts of First Nations from across British Columbia and Crown agencies to develop a strong model for trilateral collaboration between First Nations, the Province of BC, and the Government of Canada regarding the protection and conservation of wild Pacific salmon.
- J. The model is comprised of:
- a. Tier 1: (First Nation-First Nation) First Nations Salmon Steering Committee (Steering Committee);
 - b. Tier 2 (First Nation-Crown Agencies) Pacific Salmon Trilateral Table (Trilateral Table);
 - c. Strong foundation of formal agreements and processes between parties, which includes the Declaration of Urgency and the Trilateral Salmon Accord.
- K. The Declaration on the Urgent Need to Address Wild Pacific Salmon Populations in BC (Declaration of Urgency) was drafted by the FNFC, Department of Waters, Lands and Resource Stewardship (WLRS) and Department of Fisheries and Oceans (DFO) as an initial step to confirm in writing the intent of each party to work together through shared interests and priorities to address the historic decline of wild Pacific salmon populations;
- L. The Trilateral Salmon Accord is the first of its kind in Canada. Built upon the Declaration of Urgency, the Accord will formalize the commitment between FNFC (on behalf of and with input from First Nations in BC), DFO, and WLRS to collaboratively address the decline of wild Pacific salmon. This binding accord outlines shared goals, resource commitments, and roles for each party.
- M. The FNFC will be hosting a one-day special chiefs meeting in mid-November (2023) for additional dialogue on the Trilateral Accord to discuss how it will be supported, how priorities

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regarding salmon recovery will be identified and how progress will be reported back to Nations.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly recognize that many of the marine species on which our communities rely are in decline and remain at significant risk due to the ongoing climate crisis, the downstream impacts of industry, and the lack of robust First Nations monitoring and control of their territories and rights-based interests in fish, fisheries and habitat; and
2. The BCAFN Chiefs-in-Assembly direct the BCAFN Regional Chief to request that the First Nations Fisheries Council extend their proposed one-day special chiefs meeting on the Trilateral Salmon Accord to a three-day forum to allow for a fulsome discussion from First Nations leadership and First Nations Fisheries Experts in BC on the needs and perspectives of their respective communities.
3. The BCAFN Chiefs-in-Assembly directs the BCAFN Regional Chief to write a letter calling upon the Department of Fisheries and the Department of Water, Land and Resource Stewardship to provide the additional financial resources to fund the requested two-day extension and the participation of First Nations representatives from across BC.
4. The BCAFN Chiefs-in-Assembly directs the Regional Chief to work with the UBCIC, FNS and FNFC to work collaboratively to ensure that there are additional opportunities for leadership to discuss the Trilateral Salmon Accord and explore pathways to ensure compensation related to FSC fisheries.

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