



# BC ASSEMBLY OF FIRST NATIONS

## 19<sup>th</sup> Annual BCAFN Special Chiefs Assembly

Online Via Zoom  
March 9 & 10, 2023

### RESOLUTIONS LIST

NUMBER	NAME
01/2023	ENDING SEX-BASED DISCRIMINATION IN THE INDIAN ACT IN ALIGNMENT WITH THE UN DECLARATION
02/2023	CALL FOR FEDERAL MMIWG2S+ LEGISLATION
03/2023	FACILITATING THE CO-DEVELOPMENT OF A FIRST NATIONS CLIMATE LEADERSHIP AGENDA IN BC
04/2023	SUPPORT FOR A BC-SPECIFIC PROCESS REGARDING CANADA'S UNDA NATIONAL ACTION PLAN
05/2023	SUPPORT FOR THE DEVELOPMENT OF A TRIPARTITE NATURE AGREEMENT
06/2023	SUPPORT FOR THE RECOMMENDATIONS AND PRINCIPLES OF THE FEDERAL FIRST NATIONS POLICE SERVICES LEGISLATION STRATEGY PAPER
07/2023	SUPPORT FOR INDIGENOUS JUSTICE CENTRE EXPANSION PLAN
08/2023	CHRT ON FIRST NATIONS CHILD & FAMILY SERVICES, JORDAN'S PRINCIPLE, REFORM OF INDIGENOUS SERVICES CANADA, THE AGREEMENT IN PRINCIPLE, AND FINAL SETTLEMENT AGREEMENT
09/2023	ADVANCING A POSITIVE PATH FORWARD ON FIRST NATIONS HEALTH GOVERNANCE
10/2023	SUPPORT FOR THE DEVELOPMENT OF A DISCUSSION PAPER RELATED TO THE EMERGENCY MANAGEMENT SERVICE AGREEMENT
11/2023	SUPPORT FOR TSESHAHT FIRST NATION, ALBERNI INDIAN RESIDENTIAL SCHOOL (AIRS): CALLS FOR TRUTH AND JUSTICE
12/2023	SUPPORTING FIRST NATIONS TO ACCESS SAFE, AFFORDABLE, RELIABLE AND LOW-CARBON TRANSPORTATION
13/2023	OMNIBUS TO ADOPT FOUR RESOLUTIONS
13(a)/2023	PROVINCIAL EMERGENCY MANAGEMENT LEGISLATION
13(b)/2023	SUPPORT FOR TITLE AND RIGHTS HOLDER TO TAKE LEGAL ACTION FOR THE OPIOID OVERPRESCRIBING AND THE OVERDOSE CRISIS
13(c)/2023	SUPPORT FOR TĪEMLŪPS TE SECWÉPEMC BID TO HOST THE 2027 NORTH AMERICAN INDIGENOUS GAMES
13(d)/2023	ALCOHOL REGULATION, FUNDING AND JURISDICTION



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
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Website: www.bcafn.ca

**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 01/2023**

**SUBJECT:                   ENDING SEX-BASED DISCRIMINATION IN THE INDIAN ACT IN ALIGNMENT  
WITH THE UN DECLARATION**

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**MOVED BY:               CHIEF LYNDA PRICE, ULKATCHO FIRST NATION**

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

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**DECISION:               CARRIED**

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### **WHEREAS:**

- A. Indigenous women are the foundation of our cultures, our communities, and our governments, yet the discrimination against Indigenous women has been used as a colonial tool to destabilize our communities through the inevitable reduction of our membership rolls, the undermining of our ability to maintain and protect the legal status and existence of our present and future citizens, and the threatening of our connection to our land base, our Title and Rights, our cultures, languages, knowledges and our resources;
- B. Indigenous women and their descendants who have now become entitled to Indian registration through amendments to the *Indian Act* continue to face unreasonable delays in becoming registered which constitutes ongoing discrimination and a denial of their rights;
- 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 B.C., committed to implement, affirms:

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**Terry Teegee, BC Regional Chief**

**Article 8:** Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture ... States shall provide effective mechanisms for prevention of, and redress for ... Any form of forced assimilation or integration ...

**Article 9:** Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right;

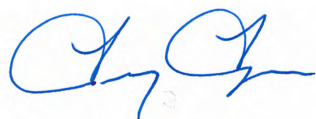
**Article 18:** Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions; and

**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;

- D. By Resolution 2010-03 the BCAFN Chiefs-in-Assembly stated that First Nations have the inherent right and jurisdiction to determine citizenship;
- E. By Resolution 2019-07(g) the BCAFN Chiefs-in-Assembly called upon Canada to immediately end sex-based discrimination in the *Indian Act*;
- F. Despite numerous amendments to the *Indian Act*, ongoing sex-based discrimination against First Nations women and their descendants persists in law and practice;
- G. The federal Senate Standing Committee on Indigenous Peoples (then the Senate Standing Committee on Aboriginal Peoples) report, *Make It Stop: Ending the remaining discrimination in Indian registration* released in June 2022 makes 9 recommendations to address ongoing sex-based discrimination in the *Indian Act* and make reparations;
- H. On December 14, 2022 Bill C-38 *An Act to amend the Indian Act* was introduced to the legislature, which responds to issues regarding:
  - a. enfranchisement
  - b. deregistration

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c. acquired rights to natal band membership

- I. It is unclear to what extent Canada has met its obligations to consult and cooperate with First Nations regarding the proposed legislation;
- J. In October 2022 the Indian Act Sex Discrimination Working Group, composed of Sharon McIvor; Jeannette Corbiere Lavell, C.M.; Dr. Lynn Gehl; Cora McGuire-Cyrette, Executive Director, Ontario Native Women's Association; Marjolaine Étienne, President, Quebec Native Women's Association/Femmes Autochtones du Québec; Chief Judy Wilson, Secretary-Treasurer, Union of B.C. Indian Chiefs; Dr. Pamela Palmater, Chair in Indigenous Governance, Metropolitan University; Dr. Gwen Brodsky; Mary Eberts, O.C.; and Shelagh Day, C.M., Canadian Feminist Alliance for International Action prepared a Briefing Note on ISC Proposed Amendment to the Indian Act, which included the following conclusions and recommendations:

*The Working Group supports:*

1. *the proposed amendment to cure the discrimination against women and their descendants caused by enfranchisement provisions; and*
2. *the proposed amendment to facilitate reconnection of women with their natal bands*

*The Working Group urgently recommends:*

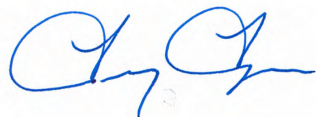
1. *removal of bars to compensation for discrimination caused by the status provisions of the Indian Act;*
2. *the removal of section 6(2) of the Indian Act;*
3. *clarification that removal of 6(2) will remedy discrimination caused by pre and post 1985 marriage and birth cut-off dates and by the unknown and unstated paternity provisions; and*
4. *clarification that women are not barred from eligibility for Indian status because they took scrip or married a person who took scrip.*

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly fully supports the recommendations of *Make It Stop: Ending the remaining discrimination in Indian registration* and directs the Regional Chief to advocate for the implementation of these recommendations;
2. The BCAFN Chiefs-in-Assembly fully supports the conclusions and recommendations of the Indian Act Sex Discrimination Working Group, and directs the Regional Chief to advocate for

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**Terry Teegee, BC Regional Chief**

the implementation of these recommendations; and

3. The BCAFN Chiefs-in-Assembly calls on Canada to ensure that any amendments to the Indian Act (1985) are consistent with the Indigenous and human rights affirmed in the UN Declaration and meet the requirement of Free, Prior, and Informed Consent.

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**Terry Teegee, BC Regional Chief**



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**Resolution 02/2023**

**SUBJECT: CALL FOR FEDERAL MMIWG2S+ LEGISLATION**

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**MOVED BY: KUKPI7 HELEN HENDERSON, CANIM LAKE BAND**

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**SECONDED BY: WAHMEESH (KEN WATTS), ELECTED CHIEF COUNCILLOR  
TSESHAHT FIRST NATION**

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**DECISION: CARRIED**

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### WHEREAS:

- A. Gendered colonial violence perpetrated against Indigenous women, girls, and Two-Spirit, lesbian, gay, bi-sexual, trans, queer, questioning, intersex, and asexual, and others with gender and/or sexual diversity (2SLGBTQQIA+) people continues in the form of a deadly and unrelenting genocide, causing extreme harm to families and communities across Turtle Island;
- B. On October 10, 2020, the United States passed federal legislation for the protection of Native Americans, in particular for Missing and Murdered Indigenous Peoples (MMIP), titled [Savanna's Act](#) and the [Not Invisible Act](#), in response to overwhelming violence against Indigenous peoples and the crisis of Missing and Murdered Indigenous Peoples (MMIP);
- C. *Savanna's Act*, named after Savanna LaFontaine-Greywind – a 22 year old member of the Spirit Lake Nation of North Dakota who was brutally murdered while she was eight months pregnant in August 2017 – is aimed at increasing communication and coordination among

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law enforcement agencies, improving tribal access to resources and information in order to respond effectively to MMIP cases, strengthening data collection relating to MMIP, and directs U.S. attorneys to develop regionally appropriate guidelines for responding to MMIP;

- D. The *Not Invisible Act* is intended to increase intergovernmental coordination to identify and combat violent crime within Indigenous lands through the creation of a Joint Committee on Reducing Violent Crimes Against Indians of local, tribal, and federal stakeholders. Under this Act, the Committee will make publicly available recommendations to the Department of Interior and of Department of Justice on best practices both departments can take to combat disappearances, murder, trafficking, and other violent crimes against Native Americans and Alaska Natives. Within 90 days after their receipt, the Secretary of the Interior and Attorney General must each make public written responses to the recommendations;
- 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, passed legislation committing to implement, affirms:
  - a. Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
  - b. Article 21(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.
  - c. 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;
- F. The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls reveals the persistent and deliberate human and Indigenous rights violations and abuses as a root cause behind Canada's staggering rates of violence against Indigenous women, girls, and 2SLGBTQQIA+ people;
- G. The National Inquiry's Calls for Justice, Red Woman Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside, and Highway of Tears Symposium Recommendations Report provide concrete actionable recommendations and a clear path to creating systemic change and ending violence by calling on government in the areas of culture, human security, health, and justice; on industries, institutions, service providers and partners,

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including the media, health providers, transportation and hospitality providers, educators, social workers, extractive industries, police services, and justice actors; and the Canadian public;

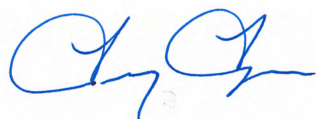
- H. The National Inquiry's Calls for Justice 1.5, 1.6, 1.8, 3.3, 3.5, 5.6, 5.8, 9.1, 9.2 and 9.5 specifically call for governments to take all necessary measures to prevent and investigate violence against Indigenous women; to enact missing person legislation; to eliminate jurisdictional gaps and neglect that result in improperly regulated and delivered services; to provide long-term funding and trauma informed supports for survivors and victims of crime; the creation of crisis response teams; and call for police training and the standardization of justice protocols in the investigation of all cases of missing and murdered Indigenous women – including communication with families, coordination across government departments and jurisdictions, and standardized response times;
- I. The governments of British Columbia and Canada have committed to ending the cycle of violence that has fueled the Missing and Murdered Indigenous Women, Girls, and Two-Spirit+ (MMIWG2S+) crisis through a National Action Plan with regionally distinct plans to action the National Inquiry's Calls for Justice; however, without statutory requirements, the governments' policy commitments have fallen desperately short of immediate actionable strategies to protect Indigenous women, girls and 2SLGBTQQA+ people and end the genocide; and
- J. Gendered violence transcends provincial and territorial boundaries and as such requires concrete federal legislation that applies across jurisdictions.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly call on Canada to work with Indigenous peoples, including families and loved ones of missing and murdered Indigenous women and girls and 2SLGBTQQA+ people, to co-develop federal legislation creating accountability and legal standards for preventing and responding to cases of missing and murdered Indigenous women, girls and 2SLGBTQQA+ people; and
- 2. The BCAFN Chiefs-in-Assembly directs the Regional Chief to commission a memo, subject to resources, providing the legal landscape of policies and legislation pertaining to protections against gender-based violence and to work with like-minded organizations to help shape the proposed legislation.

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**Resolution 03/2023**

**SUBJECT: FACILITATING THE CO-DEVELOPMENT OF A FIRST NATIONS CLIMATE LEADERSHIP AGENDA IN BC**

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**MOVED BY: CHIEF LEE SPAHAN, COLDWATER INDIAN BAND**

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**SECONDED BY: CHERYL CASIMER, PROXY, LOWER NICOLA INDIAN BAND**

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**DECISION: CARRIED**

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### **WHEREAS:**

- A. The climate and biodiversity crises are threatening the security and way of life of First Nations across Canada through the escalating impacts of climate-exacerbated disasters and the threats to the well-being of First Nations traditional territories that supports all life;
- B. It is paramount to take urgent and transformative climate action at multiple scales, while ensuring the inclusion and full participation of First Nations' governance, inherent rights, laws, and priorities;
- C. First Nations in BC are leaders in climate response and must have a leadership role in any climate discussion, based on First Nations' inherent and constitutionally protected Title, Rights and Treaty Rights. However, too often, governments' climate decisions, plans and investments are developed and implemented without the meaningful participation of First Nations. Furthermore, First Nations governments are underfunded and understaffed to fulfil their roles and responsibilities to care and manage their territories in ways that

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reflect First Nations worldviews and values;

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

**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 18:** Indigenous peoples have the right to participate in decision-making in matters which 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;

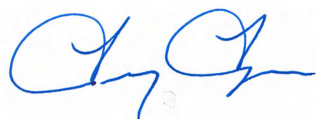
**Article 19:** States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them;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

**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 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;

- E. By AFN Resolution 22/2017, Chiefs-in-Assembly supported the establishment of the Joint Committee on Climate Action (JCCA) between AFN and the Government of Canada to act as a technical table to ensure First Nations' full and meaningful inclusion within the Pan-Canadian Framework on Clean Growth and Climate Change and other related priorities identified by First Nations based on their inherent Title, Rights, Treaties and other formal arrangements. Regional First Nations. The JCCA does not replace or alleviate the Crown of

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**Terry Teegee, BC Regional Chief**

its duty to consult First Nations at a local, regional and national level on issues related to climate change;

- F. Throughout 2020 and 2022, the JCCA discussed the development of a First Nations Climate Leadership Agenda (the FNCL Agenda);
- G. Based on this work by the JCCA, Government of Canada committed to co-developing an Indigenous Climate Leadership Agenda (ICLA) in the Strengthened Climate Plan and Budget 2022. The ICLA will include distinctions-based agendas (the FNLC Agenda for First Nations), that build regional and national capacity and progressively vests authorities and resources for climate action in the hands of First Nations, Inuit, and Métis peoples and representative organizations;
- H. The expected outcomes from the FNLC Agenda will be organized into three main areas: *1) transfer of federal funding, 2) collaborative decision-making on climate, and 3) support for climate leadership*. Overall, the FNLC Agenda intends to provide a roadmap to: a) address barriers to exercising First Nations' self-determination and constitutionally protected rights in climate action; b) empowers First Nations' meaningful involvement in national climate governance; and c) ensures appropriate federal support for First Nations, consistent with Canada's fiduciary obligations;
- I. Over the next three years, Environment and Climate Change Canada (ECCC) and Crown-Indigenous and Northern Affairs Canada (CIRNAC) will work closely with First Nations at the national, regional and local level to co-develop the FNCL Agenda. The JCCA will support the development process;
- J. By Resolution 04/2019, the BCAFN Chiefs-in-Assembly directed BCAFN to work with the First Nations Leadership Council to prepare a First Nations Climate Strategy and Action Plan (BC FN Climate Strategy). By Resolution 06/2022, the BCAFN Chiefs-in-Assembly fully endorsed the BC FN Climate Strategy and directed the BCAFN and the FNLC to work toward implementation;
- K. The BCAFN Chiefs-in-Assembly has passed various resolutions supporting First Nations involvement in climate actions such as Resolution 05/2021: Supporting First Nations Community-Based Climate Leadership; Resolution 31/2016: Climate Change-Adaptative Planning, and Resolution 30/2016: Respect and Recognition of Indigenous Rights in Canada's Climate Change Planning, which call on the Government of Canada to establish a "National Indigenous Climate Action Plan" in cooperation with First Nations;

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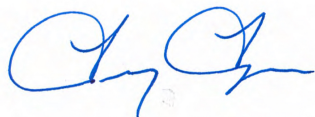
**Terry Teegee, BC Regional Chief**

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly direct the Regional Chief and BCAFN staff to collaboratively facilitate the co-development of the First Nations Climate Leadership Agenda (FNCL Agenda) in BC with Title and Rights-holders and First Nations organizations across the province. The BC FNCL Agenda must reflect and respond to our own realities, needs, priorities and interests, and provide a roadmap consisting of recommendations and policy directions to ensure that federal climate policy and legislation:
  - i. is respectful and supportive of First Nations' exercise of self-determination and constitutionally protected Title, Rights and Treaty Rights;
  - ii. empowers First Nations' meaningful involvement in national climate governance; and,
  - iii. ensures appropriate federal support for First Nations, consistent with Canada's fiduciary obligations;
2. The BCAFN Chiefs-in-Assembly remind the Government of Canada that successfully transforming federal climate policy must start with explicit respect for Aboriginal Title, Rights and Treaty Rights, and the implementation of the United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission's Calls to Action;
3. The BCAFN Chiefs-in-Assembly mandate the Regional Chief and BCAFN staff to ensure that our recommendations and policy directions outlined in the BC FNCL Agenda or identified during the BC FNCL Agenda development are fully considered in the Canada-wide FNCL Agenda development; and
4. The BCAFN Chiefs-in-Assembly mandate the Regional Chief and the BCAFN staff to use the BC First Nations Climate Strategy and Action Plan as a foundation to guide the FNCL Agenda co-development process in BC and to use the FNCL Agenda co-development process to strengthen the BC First Nation Climate Strategy and Action Plan implementation.

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**Resolution 04/2023**

**SUBJECT: SUPPORT FOR A BC -SPECIFIC PROCESS REGARDING CANADA'S  
UNDA NATIONAL ACTION PLAN**

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**MOVED BY: CHIEF HARVEY MCLEOD, UPPER NICOLA INDIAN BAND**

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**SECONDED BY: CHIEF JOE PIERRE, AQ'AM FIRST NATION**

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**DECISION: CARRIED**

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### **WHEREAS:**

- A. We are sovereign Indigenous Nations with the right to protect, manage, and derive social, cultural and economic benefits from the wealth of our lands, waters and resources;
- B. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) was adopted by the General Assembly in September 2007, after more than 20 years of debate, discussion and advocacy by Indigenous leaders;
- C. The *UN Declaration* is the most comprehensive, universal international human rights instrument explicitly addressing the economic, social, cultural, political, spiritual and environmental rights of Indigenous Peoples;
- D. The *UN Declaration*, which Canada has adopted without qualification and has, along with the Province of British Columbia, committed to implement, affirms, among other things:

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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 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 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 right 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 38:** States in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration;

- E. The Truth and Reconciliation Commission of Canada Calls to Action, accepted by both Canada and the Province of British Columbia, state:


**Call to Action 43:** We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation;

**Call to Action 44:** We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples;

- F. The federal government tabled Bill C-15 *an Act respecting the United Nations Declaration on the Rights of Indigenous Peoples* (Bill C-15) in the House of Commons on December 3, 2020;
- G. On June 21, 2021, the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) came into force. This Act requires the Government of Canada, in consultation and cooperation with Indigenous peoples, to:

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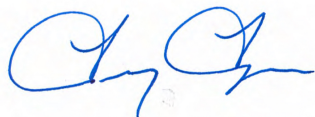
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**Terry Teegee, BC Regional Chief**

- i. Take all measures necessary to ensure that federal laws are consistent with the Declaration (Section 5);
  - ii. Prepare and implement an action plan to achieve the objectives of the Declaration (Section 6); and
  - iii. Develop annual reports on progress and submit them to Parliament (Section 7).
- H. The legislated deadline for the official tabling of UNDA NAP is June 21, 2023;
- I. On February 16, 2023, the Honourable David Lametti, Minister of Justice and Attorney General of Canada, issued a Letter of Understanding to the First Nations Leadership Council (FNLC) which outlines Canada's commitment to a BC-specific bilateral process with the FNLC to identify priorities and actions for UNDA implementation consistent with direction of First Nations in BC;
- J. By Resolution 08/2019, Support for a Legislative Framework for the Implementation of the United Nations Declaration on the Rights of Indigenous Peoples, the BCAFN Chiefs-in-Assembly established full support and implementation of *the Declaration* and called on the BCAFN as part of the FNLC to engage and seek input from First Nations on the development of legislation;
- K. By Resolution 01/2020, Federal Legislation to create a Framework for the Implementation of the *UN Declaration*, the BCAFN Chiefs-in-Assembly called upon Canada to develop a government Bill which was premised on former Bill C-262 as the "floor", with improvements, and requested the following processes:
  - i. establish a BC-specific collaborative process to fulfill its commitment to introduce co- developed legislation to implement the UN Declaration by the end of 2020, as set out in the Prime Minister's December 2019 mandate letter to the Minister of Justice and Attorney General of Canada;
  - ii. work in collaboration and partnership with First Nations in BC and the First Nations Leadership Council (BCAFN, FNS and UBCIC) in any co-development process regarding federal legislation to implement the UN Declaration;
  - iii. work in collaboration and partnership with First Nations in BC and the First Nations Leadership Council to develop a BC-specific action plan to implement the UN Declaration, which is to be informed by other United Nations instruments upholding Indigenous rights, such as the *Universal Declaration of Human Rights* and

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international human rights law, as well as the Organization of American States' *American Declaration on the Rights of Indigenous Peoples*;

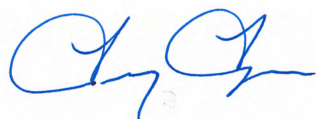
- L. By Resolution 08/2021, Enhancing Bill C-15 Federal Legislation to Implement the *United Nations Declaration on the Rights of Indigenous Peoples*, the BCAFN Chiefs-in-Assembly supported Bill C-15 with identified improvements and directed Regional Chiefs, working with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council, to take any and all opportunities to improve the bill and to prepare a submission outlining recommendations for improvements;
- M. On November 26, 2019, the Province of British Columbia passed the *Declaration on the Rights of Indigenous Peoples Act* (the "Declaration Act"), to implement the UN Declaration, making it the first province in Canada to enact such legislation;
- N. To assist First Nations in developing their own priorities and positions for inclusion into the UNDA NAP, the BCAFN legal and policy team has prepared an Options Paper which contains possible recommendations and priorities to help inform First Nations' submission to Canada's UNDA NAP engagement process;
- O. The FNLC, comprised of the BC Assembly of First Nations, the First Nations Summit and the Union of BC Indian Chiefs, has prepared a Draft Priorities Paper which has been distributed to BC First Nations for feedback and comment. This paper, once finalized, will be submitted by the FNLC to Canada, representing high-level priorities for the BC region for inclusion into the National Action Plan; and
- P. The FNLC, on March 29, is hosting an All-Chiefs Forum on the UNDA National Action Plan in Vancouver. The purpose of this forum is to discuss, workshop and amend the Draft Priorities Paper to represent the priorities of First Nations in BC.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly express their continued support, as stated in Resolution 01/2020 for a BC specific action plan to implement the Canada's *United Nations Declaration Act*;
- 2. The BCAFN Chiefs-in-Assembly support Regional Chief, working with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council, to engage in a BC-specific bilateral process with the Department of Justice to identify priorities and actions for UNDA implementation consistent with direction of First Nations in BC and include resources for capacity for all First Nations in BC to be adequately engaged in the

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**Terry Teegee, BC Regional Chief**




UNDA NAP process;

3. The BCAFN Chiefs-in-Assembly support Regional Chief, working with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council, to develop and submit a high-level Priorities Paper representing the priorities and interest of BC First Nations, recognized Nations and/or their governing bodies for inclusion in the *United Nations Declaration Act's* National Action Plan; and
4. The BCAFN Chiefs-in-Assembly direct the Regional Chief to distribute the BCAFN National Action Plan Options Paper to BC First Nations, recognized Nations and/or governing bodies for their consideration and use.

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**Certified copy of a resolution adopted on the 10<sup>th</sup> day of March 2023**



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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

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

**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 05/2023**

**SUBJECT: SUPPORT FOR THE DEVELOPMENT OF A TRIPARTITE NATURE AGREEMENT**

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**Moved by: CHIEF LYNDA PRICE, ULKATCHO FIRST NATION**

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**Seconded by: CHIEF JERRY JACK, MOWACHAHT/MUCHLAHT FIRST NATION**

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**Decision: CARRIED**

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### **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:
- i. Creation and expansion of protected and conserved areas, as well as key biodiversity areas, Indigenous-led conservation, and other effective area-based conservation measures;
  - ii. Protecting critical habitat and adopting land use planning measures to improve outcomes for species at risk and migratory birds;
  - iii. Facilitating information and data exchange to improve conservation outcomes;
  - iv. 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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**Terry Teegee, BC Regional Chief**

- 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 B.C., 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 resources 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 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 and the Province of British Columbia (BC) have 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 land-based title and 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.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-As directs the Regional Chief, working collectively with the Union of BC Indian Chiefs, and the First Nations Summit as the First Nations Leadership Council, to engage in tripartite discussions with the Government of Canada and the Province of British Columbia (BC) to co-develop a draft tripartite Nature Agreement for consideration by the Chiefs;
2. That the BCAFN Chiefs-in-Assembly directs the Regional Chief to ensure that any draft Nature Agreement:

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**Terry Teegee, BC Regional Chief**

- i. is consistent with and upholds Indigenous human rights described in the *United Nations Declaration on the Rights of Indigenous Peoples*;
  - ii. 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;
  - iii. ensures that First Nations are full partners in the identification of areas for conservation and protection and in habitat enhancement and restoration initiatives;
  - iv. 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,
  - v. includes a strong and central role for Indigenous knowledge and science, while upholding and respecting Indigenous data sovereignty;
3. The BCAFN Chiefs-in-Assembly directs the Regional Chief to 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;
4. 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, to work with the Government of Canada and Province of BC to 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
5. That BCAFN Chiefs-in-Assembly directs the Regional Chief to bring any recommended draft Nature Agreement to the BCAFN Chiefs-in-Assembly for review and endorsement by resolution.



## BC ASSEMBLY OF FIRST NATIONS

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

**BCAFN 20<sup>th</sup> ANNUAL GENERAL MEETING**  
**March 9<sup>th</sup> - 10<sup>th</sup>, 2023**  
**Hybrid**

**Resolution 06/2023**

**SUBJECT: SUPPORT FOR THE RECOMMENDATIONS AND PRINCIPLES OF THE  
FEDERAL FIRST NATIONS POLICE SERVICES LEGISLATION STRATEGY  
PAPER**

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**MOVED BY: CHIEF LYNDA PRICE, ULKATCHO FIRST NATION**

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**SECONDED BY: CHIEF DARRELL BOB SR, XAXLI'P FIRST NATION**

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**DECISION: CARRIED**

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### WHEREAS:

- A. First Nations communities and citizens have not been well-served by the Canadian justice and policing systems. 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 and policing;
- B. Historical and ongoing systemic inequities found in Canada's justice system target and disproportionately impact Indigenous Peoples. As demonstrated in the findings of the National Inquiry, Indigenous women and 2SLGBTQQIA+ people are even more adversely affected within these areas;
- C. 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:

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**Terry Teegee, BC Regional Chief**

**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;

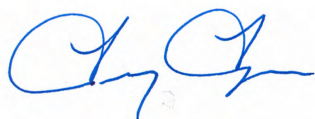
**Article 7: (1)** Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person. **(2)** Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other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

**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;

- D. The Truth and Reconciliation Commission of Canada: Calls to Action calls for governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the Constitution Act, 1982, and the United Nations Declaration on the Rights of Indigenous Peoples (42); and Reconcile Aboriginal and Crown constitutional and legal orders to ensure that Aboriginal peoples are full partners in Confederation, including the recognition and integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements (45);
- C. The National Inquiry into Missing and Murdered Indigenous Women Calls for Justice included a number of imperatives directed at governments and police services focused on reform and transformation of justice and policing;

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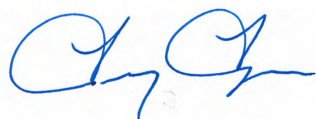
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**Terry Teegee, BC Regional Chief**

- G. BCAFN Resolution 16/2020, Support for the Development of a National First Nations Justice Strategy, and BCAFN Resolution 12/2020, Endorsement of the First Nations Justice Strategy, call for a national strategy to reform Canada’s criminal justice system;
- H. Through BCAFN Resolution 09/2021, Need for Immediate Policing Reform and Support for First Nations Jurisdiction of Policing, Chiefs-in-Assembly affirmed support for First Nations exercising their rights to self-determination, including the implementation of culturally relevant justice systems; urged the Provincial and Federal governments to recognize First Nations jurisdiction in this area and provide financial and technical assistance; and called on federal and provincial governments to reform policing in order to end police violence against Indigenous Peoples and transform their relationship with Indigenous peoples so that it is in alignment with the UN Declaration;
- I. In December 2021, the Minister of Public Safety was mandated to "continue to work with First Nations partners to co-develop a legislative framework for First Nations policing..." with the support of the Minister of Indigenous Services and the Minister of Crown-Indigenous Relations;
- J. AFN Resolution #07/2021, Creation and Implementation of Legislation for First Nations Policing as an Essential Service, directs the AFN to continue to work with Public Safety Canada on the co-development and implementation of a legislative framework that recognizes First Nations police services as an essential service and for AFN regional offices to carry out an engagement process regarding this framework;
- K. On May 25<sup>th</sup> and 26<sup>th</sup>, 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, which was supported by the BCAFN Chiefs-in-Assembly through Resolution 22/2022;
- L. In response to the findings of the What We Heard Report and in anticipation of the continued co-development of Federal First Nations Police Services Legislation, the “Federal First Nations Police Services Legislation Strategy Paper” was developed alongside BCAFN legal counsel (Miller Titerle + Company) to guide and address ongoing negotiations with the federal government on these matters.

**THEREFORE BE IT RESOLVED THAT:**

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**Terry Teegee, BC Regional Chief**



1. The BCAFN Chiefs-in-Assembly call for federal legislation that recognizes First Nations policing as an essential service and First Nations jurisdiction over policing;
2. The BCAFN Chiefs-in-Assembly support the recommendations and draft principles of the Federal First Nations Police Services Legislation Strategy Paper and call for the Regional Chief and BC representatives on the AFN Policing Taskforce to advance its use in the negotiation and co-development of Federal First Nations Police Services Legislation; and
3. The BCAFN Chiefs-in-Assembly directs the Regional Chief and BCAFN staff to work with the Assembly of First Nations, First Nations Leadership Council, the BC First Nations Justice Council, and likeminded organizations to ensure that the recommendations and principles of the Federal First Nations Police Services Legislation Strategy Paper are integrated into matters of justice and policing transformation and inform federal commitments to establish First Nations policing as an essential service.

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

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Website: www.bcafn.ca

**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 07/2023**

**SUBJECT: SUPPORT FOR INDIGENOUS JUSTICE CENTRE EXPANSION PLAN**

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**MOVED BY: CHIEF JERRY JACK, MOWACHAHT/MUCHLAHT FIRST NATION**

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**SECONDED BY: PROXY ANNIE SILVER, CHEAM FIRST NATION**

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**DECISION: CARRIED**

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### **WHEREAS:**

- A. Following engagement with First Nations over two years (2018-19), in 2020, the BC First Nations Justice Strategy (the "Strategy") was finalized and endorsed by the Province of BC;
- B. In 2020, the Chiefs-in-Assembly of the BC Assembly of First Nations, the First Nations Summit, and the Union of BC Indian Chiefs (UBCIC), working together as the First Nations Leadership Council, provided a mandate for the BC First Nations Justice Council (BCFNJC) to implement the Strategy;
- C. In 2021, Canada signed on to a tripartite memorandum of understanding with BCFNJC and the Province of BC;
- D. Strategy 4 calls for the establishment of a network of 15 Justice Centres (IJs) across British Columbia by 2025, and for BCFNJC to engage with First Nations in BC on the plan for the roll-out of Justice Centres across BC;

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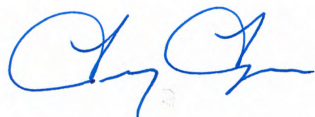
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**Terry Teegee, BC Regional Chief**

- E. IJCs provide wrap around services for Indigenous people in conflict with the law, including legal advice and representation on child protection and criminal law matters; advocacy and support for dealing with police service agencies; social services and matters involving the Ministry of Children and Family Services; Gladue Report writing and aftercare services; referrals, and more;
- F. IJCs are intended to be built with the consent of the host community and reflective of their needs and vision for legal services. IJCs are also intended to be strategically located in areas with existing justice infrastructure (e.g. First Nations Court, Provincial Court, local justice service provision agencies etc.), demonstrated need (e.g. caseloads), and where organizational capacity at the community level is available to assist with staffing, operations, and other matters;
- G. In 2020, despite the challenges brought about by the COVID-19 pandemic, following engagement with local First Nations and justice service providers, three (3) brick and mortar IJCs were established in Merritt, Prince George, and Prince Rupert;
- H. Born out of the pandemic, in 2021, a Virtual Indigenous Justice Centre (VIJC) was created to provide even greater access to justice for Indigenous peoples in BC and to also serve Indigenous peoples who fall outside the catchment areas of the first three (3) IJCs;
- I. In November 2022, Premier David Eby announced the Safer Communities Action Plan, which included funding tied to a strict 2-year timeline for the creation of 10 IJCs: five (5) regional/urban IJCs in 2023, and five (5) hub IJCs in 2024;
- J. Due to the strict funding timeline imposed by the Province of BC, the Directors of the BC First Nations Justice Council made the decision to open the first five (5) of the 10 IJCs in the following urban centers: Vancouver, Surrey, Victoria, Nanaimo, and Kelowna;
- K. In December 2022, the BCFNJC issued a Request for Proposals for external support for engagement with First Nations and Indigenous justice service providers in both the initial 5 urban IJCs (to open in 2023), and the yet to be determined locations for the remaining 5 IJCs (to open in 2024);
- L. 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 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

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**Terry Teegee, BC Regional Chief**

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 34:** Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards;


**Article 39:** Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration;

- M. BCFNJC acknowledges that providing quality access to justice for all BC First Nations will require a network greater than just 15 IJCs and is actively advocating for solutions to address this;
- N. The tight funding timeline and the many demands on time for First Nations leadership, the BCFNJC is seeking support from the Chiefs-in-Assembly for the IJC expansion plan and in particular, engagement regarding IJC site selection and host communities for the 5 yet to be determined IJCs to open in 2024; and

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly supports the BCFNJC plan for opening 10 Indigenous Justice Centres in the next two-years to meet the needs of First Nations peoples in BC; and
2. The BCAFN Chiefs in Assembly calls on the BCAFN Executive to seek other organizations who have a shared interest in working with the BCFNJC, to work collaboratively and develop a business plan for hosting an IJC within their traditional territories.

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

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**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 08/2023**

**SUBJECT: CHRT ON FIRST NATIONS CHILD & FAMILY SERVICES, JORDAN'S PRINCIPLE, REFORM OF INDIGENOUS SERVICES CANADA, THE AGREEMENT IN PRINCIPLE, AND FINAL SETTLEMENT AGREEMENT**

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**MOVED BY: CHIEF HARVEY MCLEOD, UPPER NICOLA INDIAN BAND**

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**SECONDED BY: PROXY MEL AKSIDAN, GITSEGUCLA FIRST NATION**

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**DECISION: CARRIED**

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### **WHEREAS:**

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

**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.

**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.

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**Terry Teegee, BC Regional Chief**

**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 the 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 in the Indigenous peoples concerned and international human rights;

- B. International human rights bodies and councils have criticized Canada's gross negligence on the implementation of human rights norms and standards;
- 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 (complaint), to the Canadian Human Rights Commission, against the Government of Canada (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 (the Caring Society and the 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, an Agreement in Principle (AIP) was signed as a framework for the negotiations of a Final Settlement Agreement (FSA) on FNCFS, Jordan's Principle, and the reform of Indigenous Services Canada (ISC) hereinafter called the long-term reform FSA;
- I. On March 24, 2022, the CHRT issued an order (2022 CHRT 8), by consent of the parties, requiring Canada to fund prevention services at \$2500 per person resident on reserve, and

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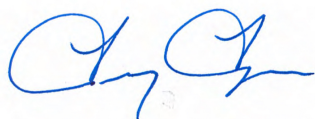
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**Terry Teegee, BC Regional Chief**

the actual costs for post-majority services, and other immediate measures for youth transitioning and transitioned from government care up to and including the age of 25. When combined with previous CHRT orders, this amounts to over 75% of the \$19.807 billion over 5 years, announced as part of the AIP in addition to the resources needed for Jordan's Principle;

- J. In 2022, Canada, AFN and other class action parties signed an FSA of \$20 billion for compensation to be paid to victims of Canada's discrimination, and filed a joint motion to have the FSA approved by the CHRT;
- K. Through BCAFN Resolution 32/2022, BCAFN Chiefs-in-Assembly call on Canada to release the full amount of \$19.08 billion over five years in funding; ensures the FSA ends and prevent the recurrence of discrimination in FNCFS and Jordan's Principle; ensures the CHRT and associated orders are a minimum standard for the FSA; extend the timeframe to end the CHRT's jurisdiction and fully implement the reformed funding approach in the AIP; direct the BCAFN Regional Chief to advocate for: transparent FSA negotiations and meaningful consultation with First Nations, as well as FNCFS and Jordan's Principle experts; the AFN to ensure the meaningful participation of the National Advisory Committee on First Nations child welfare (NAC), Indigenous governing bodies, First Nation title and rights holders, and BC Indigenous Child and Family Services Directors (ICFSD) in any proposals affecting FNCFS and Jordan's Principle in BC; the AFN to only sign a FSA after receiving the FPIC of First Nations in BC; the AFN not sign any agreements that fetter its disclosure of information required by First Nation leadership; and, affirm that the AFN must seek the FPIC of First Nations in BC, prior to stating or implying a position on behalf of First Nations rights holders in BC regarding 2016 CHRT 2 or the AIP;
- L. On October 24, 2022, the CHRT issued a letter-decision confirming that the FSA on compensation, signed by Canada, the AFN, and other class action parties does not fully satisfy its orders, disentitling some victims, reducing compensation for others, and adding entitlement uncertainty for others;
- M. On November 23, 2022, the AFN and Canada filed application for judicial review of the CHRT decision on the proposed FSA on the payment of compensation to victims of Canada's discrimination under the FNCFS Program and Jordan's Principle; and
- N. On December 8<sup>th</sup> and 9<sup>th</sup>, 2022, First Nations-in-Assembly passed Resolution 28/2022 and 40/2022 which supports compensation for all victims; directs Canada to provide interim and long-term funding; directs the AFN to seek an extended opt in/out timeline for eligible FSA claimants; ensures the AFN provides updates and seeks direction from First Nations-in-Assembly; directs the development of evidence-and-policy based options for long-term

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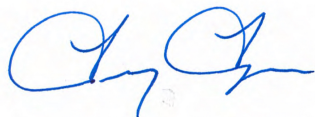
**Terry Teegee, BC Regional Chief**

reform of Jordan's principle; and, calls on Canada to provide funding, ensure FPIC on long-term reforms, develop legislative protections, and continue funding capital.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly reaffirm the BCAFN resolution 32/2022 on the *Canadian Human Rights Tribunal Case on First Nations Child & Family Services, Jordan's Principle, and Reform of Indigenous Services Canada, and the Related Agreement in Principle Dated December 31, 2021*;
2. The BCAFN Chiefs-in-Assembly call on Canada to:
  - i. Fund post-majority supports tailored to the specific needs of each child and young adult victim, including those affected by Canada's discriminatory approach to Jordan's Principle. up to the age of 26 who are eligible for compensation until such time that community-based supports funded by Canada can adequately support all victims for the duration of the compensation period;
  - ii. Immediately place the minimum of \$20 billion earmarked for compensation in an interest-bearing account, held by an independent and reputable major financial institution, and immediately pay compensation to all victims of Canada's discrimination, including those eligible under the class action and under the CHRT orders;
  - iii. Ensure that funding and other mechanisms related to long-term reform measures regarding child and family services enable FNCFS Agencies and First Nation child and family service providers to deliver services based on substantive equality, best interests of the child, that is culturally appropriate and takes into full account the distinct circumstances of their communities;
  - iv. Ensure that any interim and long-term reform measures, including the Reformed CFS Funding Approach, does not reduce or disrupt current funding levels and are sufficiently flexible to respect First Nations authorized service providers to deliver child and family services at a level that protects and promotes the best interests of their children in keeping with the principles of sovereignty, inherent jurisdiction, and nation-to-nation building;
  - v. Extend the timeframes for signing the FSA on long-term reform to ensure that community informed research via the IFSD studies is completed and the results thereof have been duly reviewed by First Nations technicians in BC and integrated into the final text of the FSA (or a phased FSA) that will be presented to the First Nations in Assembly for approval. If the IFSD research is ready at different times, work with the parties on a phased approach for the completion of long-term reform
  - vi. Increase funding commitments, above the currently allocated \$19.807 billion over 5 years and beyond, that is needs-based to ensure substantive equality, the best

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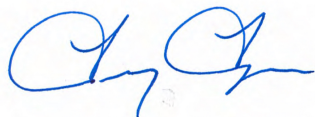
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**Terry Teegee, BC Regional Chief**



- interests of the child, and services that are culturally appropriate and reflective of the distinct needs and circumstances of individual First Nation communities;
- vii. Fund the AFN National Advisory Committee on First Nations Child and Family Services Program reform, as well as regional and other technical experts to inform the FSA.
  - viii. Ensure BC Chiefs are provided with all available options and related supporting financial resources and materials so that First Nations in BC can exercise Free, Prior, and Informed Consent on long-term reforms;
  - ix. Develop legislative protections to ensure that First Nations in BC have sufficient liability coverage over the services they provide; and
  - x. Continue funding capital at actual costs for First Nations, FNCFS Agencies and First Nation Service Providers, in BC, pursuant to 2021 CHRT 41, until otherwise ordered by the Tribunal;
3. The BCAFN Chiefs-in-Assembly call on the Assembly of First Nations to:
- i. Support compensation for victims covered by the proposed FSA and for those already legally entitled to \$40,000, plus interest, under the CHRT compensation orders;
  - ii. Support the principles on which the long term reform FSA is built, including taking a trauma-informed approach, employing objective and non-invasive criteria, and ensuring a First Nations-driven and culturally-informed approach to compensating individuals;
  - iii. Continue to support the Representative Plaintiffs and all victims of Canada's discrimination by ensuring that compensation is paid as quickly as possible to all who can be immediately identified and to continue to work efficiently to compensate those who may need more time;
  - iv. Disclose to the BCAFN Chiefs-in-Assembly, any fees or benefits paid to any person or organizations (including legal counsel) within the AFN or acting on behalf of the AFN arising from the compensation to children, youth and victims;
  - v. Advocate that the Parties, of the long-term reform FSA, develop evidence-and policy-based options for the long-term reform of Jordan's principle that will include mechanisms to enable and support self-determination and to return the First Nations-in-Assembly for review and approval.
  - vi. Ensure that the solutions for the long-term reform of child and family services and Jordan's Principle are not finalized in an FSA until the community informed research via the IFSD studies is completed. Solutions for a long-term approach for child and family services and Jordan's Principle can be dealt with separately and a phased approach must be considered in line with the timing of the community-based research.

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**Terry Teegee, BC Regional Chief**

4. The BCAFN Chiefs-in-Assembly call on the Assembly of First Nations to:
  - i. Return to the First Nations-in-Assembly to provide regular progress reports and seek direction on any outstanding implementation issues;
  - ii. Return to the First Nations-in-Assembly to seek approval of the FSA on long-term reform and compensation;
  - iii. Ensure that the FSA does not detract from the right of the Parties to the current complaint before the CHRT from seeking orders from the Tribunal to ensure that all First Nations children, youth, and families will be free from discrimination and its recurrence for all generations to come; and
  - iv. Immediately seek an opt-out period for a minimum of 12 months, following the announcement of a revised compensation FSA, for claimants to determine whether they will participate in the class action.

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A handwritten signature in blue ink, appearing to read 'Terry Teegee', is written over a horizontal line.

**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

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Website: www.bcafn.ca

**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 09/2023**

**SUBJECT:           ADVANCING A POSITIVE PATH FORWARD ON FIRST NATIONS HEALTH GOVERNANCE**

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

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**SECONDED BY:   ANNIE SILVER, PROXY, CHEAM FIRST NATION**

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**DECISION:       DEFEATED**

**IN FAVOUR: 5**

**OPPOSED: 38**

**ABSTAINED: 2 (CHIEF ED HALL, KWIKWETLEM FIRST NATION; CHIEF ROBERT MICHELL, STELLAT'EN FIRST NATION)**

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### **WHEREAS:**

- A. First Nations have an undeniable sovereign responsibility and mandate to ensure the health, safety, and well-being of their members;
- 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, passed legislation committing 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

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**Terry Teegee, BC Regional Chief**

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;

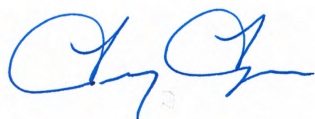
**Article 21(1):** Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security;

**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 programs affecting them and, as far as possible, to administer such programs through their own institutions;

**Article 24(1):** Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services; **(2)** Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

- C. via Resolution 2010-01, the BC AFN Chiefs-in-Assembly supported a change to the structure and appointment of the First Nations Health Council (FNHC) to be fifteen members, three appointed for each health region through their own processes. The resolution directed that the [FNHC] "...will be responsible for reporting to Nations within their region, accountable for progress and processes at all levels, representation, and ensuring that ratification processes and decision making process are community driven and Nation based";
- D. in 2010, the FNHC advanced a Consensus Paper at the fourth annual Gathering Wisdom for a Shared Journey Forum which was supported by a majority of First Nations present at that meeting. Under the Consensus Paper, the FNHC was supported "as a provincial-level political and advocacy organization that is representative of and accountable to BC First Nations" and clarified that direct accountability of the FNHC to BC First Nations on

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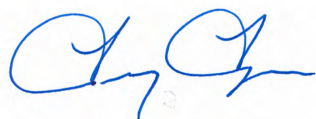
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**Terry Teegee, BC Regional Chief**

health-related matters will be through the Regional Caucuses and Gathering Wisdom Forums;

- E. the FNHC's mandate is described in the 2010 Consensus paper as: dedicated political leadership for the implementation of the Health Plans; Support to First Nations in achieving their health priorities and objectives; health advocacy and relationships; politically oversee the transition of First Nations and Inuit Health Branch (FNIHB) to a new First Nations Health Authority; and promote and ensure communication, transparency, cost-effectiveness and accountability of the FNHC to First Nations;
- F. the FNHC serves a dual role as FNHC political leaders and members of the non-profit FNHA society and in this role appoint the Board of Directors, meaning there is categorically no separation between politics and business;
- G. since health transfer in 2013, and through the legally binding BC Tripartite Framework Agreement on First Nation Health Governance (Tripartite Framework Agreement), the FNHA has provided funding to our community health programs. The FNHA revamped the First Nations Health Benefits with the intent to support our people living at home and away from home. This program provides First Nations patients with the costs of dental, drugs, supplies, mental health support and patient transportation. The FNHA has a legal obligation through the Tripartite Framework Agreement to the First Nations people living in BC for the provision of health services;
- H. in 2015, the First Nations Leadership Council ("FNLC", a collaborative political working partnership between the UBCIC, First Nations Summit, and BC Assembly of First Nations) signed a Protocol on the Social Determinants of Health with the FNHC ("Protocol"). In the Protocol, the FNLC and FNHC acknowledged their respective and separate governance and accountability structures;
- I. the FNHC is not subordinate to the FNLC, and the relationship between the FNHC and the FNLC is set out in the 2015 Protocol. The 15 FNHC members are accountable to the First Nations governments that appointed them within their respective regions, and the mandate and work of the FNLC is collectively directed by Nations' governments through resolutions of the three political organizations. Neither the FNLC nor other First Nations Organizations, are subordinate to the FNHC;
- J. through their legal and binding Tripartite Framework Agreement, Canada, the Province of BC and the FNHA have provisions for formal organizational evaluations every five years. Through its commitment to a high standard of accountability and transparency,

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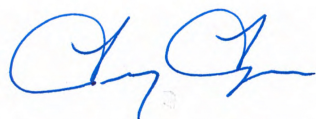
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**Terry Teegee, BC Regional Chief**

the FNHA also publishes and provides an overview at regional caucuses on annual reports that include independently audited financial statements;

- K. in spring 2021, First Nations leaders and delegates at the respective meetings of the Union of BC Indian Chiefs (UBCIC), BC Assembly of First Nations (BCAFN), and the First Nations Summit (FNS) unanimously passed resolutions mandating a First Nations Health Governance Structure Renewal (UBCIC 2021-14; BCAFN 02/2021; FNS #0621.11) overseen by a Chiefs Health Governance Committee (Committee). By Resolution 2021-14, the BC AFN Chiefs-in-Assembly called for “this engagement and decision-making process to be immediately initiated, and for a renewed mandate and structure to be agreed upon by First Nations throughout BC including co-developing legislation as described in section 9.1 of the Tripartite Health Framework Agreement prior to renewal of the First Nations Health Authority’s (FNHA) Canada Funding Agreement in 2023.” There was a two year period for the work to take place prior to the expiry of the 10 year agreement;
- L. essential documents required from the FNHA and the FNHC have not been provided to the Committee to carry out its work, despite repeated requests since 2021, and despite commitments in the Protocol from 2015 to information sharing;
- M. the FNLC has communicated to the FNHC, Federal and Provincial governments that they should only renew their ten-year funding agreement, which expires on March 31, 2023, once a third-party Health Governance Review is completed, and that an interim funding agreement be put in place to ensure seamless delivery of services to First Nations, to avoid any threats to service delivery to First Nations community health programs and services to their citizens;
- N. the FNLC has been unable to secure funding arrangements or funding support from BC or the Federal government for their third-party Health Governance Review, which has stalled since 2021. The FNHA and FNHC have communicated to BC and Canada that the Review called for in the resolutions is not needed because the FNHC is carrying out its own review;
- O. the FNHC voluntarily initiated an evaluation in fall 2022 conducted by a third-party consultant for First Nations leaders to increase accountability and continuous learning, share stories of change over time, identify current strengths, and highlight opportunities to improve FNHC’s governance, role and structure;
- P. the resolutions processes at the BCAFN, FNS and UBCIC assemblies do not include a provision for the additional demonstration of consent of every First Nation in BC. In fall

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**Terry Teegee, BC Regional Chief**

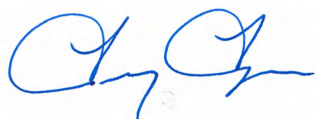
2022, resolutions were passed by consensus and in full accordance with resolutions processes at those organizations, and by UBCIC Resolution 2022-50, the BC AFN Chiefs-in-Assembly once again called “on the FNHA and the FNHC to cooperate in an arms-length health governance review and not enter into any further funding agreements including a renewed Canada Funding Agreement or the Tripartite Data Quality & Sharing Agreement, on behalf of First Nations prior to the external review of FNHA’s governance structure and mandate by Title and Rights Holders”;

- Q. the FNLC organizations are broadly mandated, and work collaboratively, to support First Nations to advance their Aboriginal Title and Rights, and Treaty Rights, and to advocate for substantive policy change that will benefit all First Nations in BC. First Nations Organizations, including the FNHC, hold a variety of mandates to work to improve the socio-economic conditions of First Nations communities in BC through their focused work in their respective sectors;
- R. on February 13<sup>th</sup>, 2023, the FNLC and the FNHC had a meeting to discuss issues of common interest as per commitments in the Protocol and agreed to work together more closely and attend to needs in our communities; and
- S. on February 28-March 2, 2023 First Nations in BC met at the 12<sup>th</sup> Annual Gathering Wisdom to discuss the Ten-Year Strategy on social determinants of Health, which is intended to examine the social determinants of health from an Indigenous perspective, describe the relationship between the social determinants of health and colonization, demonstrate linkages between the 7 directors and social determinants of health, and to represent a whole of government approach to accelerate progress on the social determinants of health with the goal of restoring health and wellness. The Chiefs and proxies in attendance passed a resolution that approved and supported the Ten Year Strategy and directed the FNHC to complete the independent evaluation of the First Nations Health Governance structure, the resolution was supported by 150 votes, with 24 opposed (84% in favour, 16% opposed).

**THEREFORE BE IT RESOLVED THAT:**

1. the BCAFN Chiefs-in-Assembly supports a renewal of a ten-year funding agreement for necessary community health services, care, and benefits for approximately 200,000 First Nations people in BC;
2. the BCAFN Chiefs-in-Assembly directs the Regional Chief and staff to communicate to the First Nations Health Council (FNHC), federal and provincial governments that an arm’s length Health Governance Review is not needed;

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**Terry Teegee, BC Regional Chief**

3. the BCAFN Chiefs-in-Assembly directs the BCAFN to end engagement, participation, or support for the arm's length Health Governance Review called for in BCAFN Resolutions 2021-02 and 2022-23 and rescinds the actions called for in those resolutions; and
4. the BCAFN Chiefs-in-Assembly directs BCAFN to advise First Nations to utilize the BC First Nations Health Governance Structure's established engagement pathways to provide feedback and direction to their elected representatives on the FNHC.

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**Terry Teegee, BC Regional Chief**





## BC ASSEMBLY OF FIRST NATIONS

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**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 10/2023**

**SUBJECT: SUPPORT FOR THE DEVELOPMENT OF A DISCUSSION PAPER RELATED TO  
THE EMERGENCY MANAGEMENT SERVICE AGREEMENT**

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**MOVED BY: CHIEF HARVEY MCLEOD, UPPER NICOLA BAND**

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**SECONDED BY: CHIEF LYNDA PRICE, ULKATCHO FIRST NATION**

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**DECISION: CARRIED**

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### **WHEREAS:**

- A. First Nations must be full and equal partners in all aspects of emergency management decision-making, and all phases of emergency management implementation in their territories, as recommended in “Trail By Fire: Nadleh Whut’en and the Shovel Lake Fire Report”, the Tsilhqot’in Nation’s report “The Fires Awakened Us (Nagwedižk’an Gwaneš Gangu Chinidžed Ganexwilagh)” and the Abbott-Chapman report;
- B. on November 28, 2019, the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) received Royal Assent in the British Columbia Legislature, making the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) applicable to the laws of British Columbia;
- C. in October 2018, the Province of British Columbia became the first Canadian province to adopt the United Nations 2015-2030 *Sendai Framework for Disaster Reduction* (Sendai Framework) as the guiding approach for disaster risk reduction. The Sendai Framework states that natural disasters are exacerbated by climate change and are increasing in

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frequency and intensity, and outlines a set of practical recommendations to build a culture of safety and resilience at all levels of government and across society regarding hazard and disaster risk reduction;

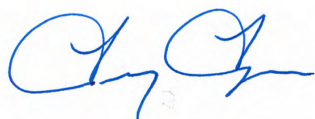
- D. on March 30, 2022, the Province of British Columbia released its first 5-year Declaration Act action plan, outlining 89 specific actions the provincial government will take toward meeting the objectives of the UN Declaration. Action 1.10 commits to the co-development with First Nations in British Columbia of modernized emergency management legislation to replace the current *Emergency Program Act*;
- E. the UN Declaration, 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. On Nov 13, 2009, the FNLC and the First Nations Emergency Services Society of BC (FNESS) entered into a Declaration and Protocol Agreement of recognition, support, cooperation and coordination. In support of the FNLC mandate, FNESS works collaboratively to improve conditions for First Nations. FNESS is incorporated under the BC Societies Act and is governed by First Nations Directors. FNESS has a mandate to support First Nations in developing and sustaining safer and healthier communities through delivery of programs and services focused upon Emergency Management, Forest Fuel Management, and (structural) Fire Services;
- G. Indigenous Services Canada (ISC) works collaboratively to support high-quality services and improve quality of life for Indigenous peoples, with emphasis on five priority areas: health; education; children and families; infrastructure; and economic prosperity. ISC's Emergency Management Assistance Program (EMAP) is the federal authority that provides funding and reimbursement of eligible expenditures related to all-hazards emergencies (i.e., floods, wildfires, earthquakes, tsunamis, etc.) that threaten the health, safety or assets of First Nations on-reserve. The department also works to facilitate the path to self-determination in all sectors;

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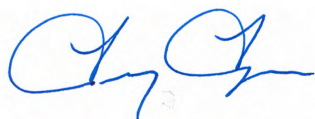
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**Terry Teegee, BC Regional Chief**

- H. Emergency Management British Columbia (EMBC) is the lead coordinating agency on behalf of the provincial government for all emergency management activities in British Columbia. EMBC provides executive coordination, strategic planning, multi-agency facilitation and strives to develop effective working relationships in an increasingly complex emergency management environment. EMBC works with local authorities, First Nations, local and federal governments, industry, non-government organizations and volunteers to support the emergency management phases of mitigation, preparedness, response and recovery. EMBC also engages provincial, national and international partners to enhance the collective emergency capabilities of the Province;
- I. in April 2019, the FNLC, Canada (represented by ISC), and BC (represented by Public Safety and Solicitor General, Emergency Management BC, and BC Wildfire Service) signed a Tripartite Memorandum of Understanding (EM MOU) to Improve Emergency Management Services for BC First Nations, outlining a relationship as full and equal partners to establish a collaborative and constructive working relationship through a joint high-level dialogue process that focuses on a mutually developed agenda and Tripartite Emergency Management Working Group (TEMWG);
- J. As a result of the MOU, and the TEMWG discussions since 2019, both BC and Canada have expressed interest in expanding the existing 10-year bi-lateral Emergency Management Agreement that exists between ISC and EMBC. This bi-lateral agreement has seen EMBC receive \$29.6 million from ISC for support for First Nations emergency management. First Nations have repeatedly expressed concerns about the lack of transparency, efficacy and appropriateness of the federal government providing resourcing for First Nations supports to the province of BC;
- K. The BCAFN is not mandated by the Chiefs-in-Assembly to negotiate a bi-lateral agreement for emergency management. However, the BCAFN is seeking support from the Chiefs-in-Assembly, to explore options and determine how best to improve emergency management service delivery for First Nations in BC, based on best-practices, Sendai Framework, UN Declaration on the Rights of Indigenous Peoples, inherent and treaty rights; and
- L. The BCAFN proposes to work with the Union of BC Indian Chiefs and First Nations Summit to develop a Discussion Paper for the BCAFN Chiefs-in-Assembly to consider in fall 2023, which will provide further information for the BCAFN Chiefs-in-Assembly to consider how to improve emergency management service delivery in BC.

**THEREFORE BE IT RESOLVED THAT:**

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**Terry Teegee, BC Regional Chief**

1. the BCAFN Chiefs-in-Assembly direct the Regional Chief to work with the Union of BC Indian Chiefs and First Nations Summit, as the First Nations Leadership Council (FNLC) to develop an Emergency Management Service Agreement Discussion Paper (Discussion Paper) by Fall 2023, for the Chiefs-in-Assembly to review and discuss during the fall assemblies;
2. the BCAFN Chiefs-in-Assembly direct the Regional Chief and BCAFN staff to ensure the Discussion Paper is consistent with:
  - i. Sendai Framework (2015-2030)
  - ii. BC First Nations Climate Strategy and Action Plan (2022)
  - iii. Section 35, inherent and treaty rights
  - iv. Inclusion of First Nations rights holders
  - v. Related initiatives by First Nations related to emergency management; and
3. the BCAFN Chiefs-in-Assembly direct the Regional Chief to work with the FNLC to advocate Canada and BC, to secure the resourcing and terms for options for new emergency management services agreement to be presented to the BCAFN Chiefs-in-Assembly by Spring 2024.

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**Terry Teegee, BC Regional Chief**



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**March 9-10, 2023**  
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**Resolution 11/2023**

**SUBJECT: SUPPORT FOR TSESHAHT FIRST NATION, ALBERNI INDIAN RESIDENTIAL SCHOOL (AIRS): CALLS FOR TRUTH AND JUSTICE**

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**MOVED BY: CHIEF WAHMEESH (KEN WATTS), TSESHAHT FIRST NATION**

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**SECONDED BY: CHIEF DALTON SILIVER, SUMAS FIRST NATION**

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**DECISION: CARRIED**

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### **WHEREAS:**

- A. Tseshaht First Nation had the Alberni Indian Residential School placed in its territory without its consent, a school they never asked for but have had to live with the impacts of that school in their community since it was a girls boarding school in 1893 and a Indian Residential School (IRS) from 1900-1973;
- B. Since the news arrived of Tk'emlúps te Secwépemc shook the world and impacted Survivors deeply and communities who had these “schools” placed in their territory. Since then Tseshaht has undertaken important engagement, scanning and research which led to their February 21<sup>st</sup>, 2023 announcement including the confirmed deaths of at minimum 67 students who died as students of AIRS and at minimum 17 geophysical features representing suspected graves at the site of AIRS of which only 12% was scanned of the 100 hectare research and scanning area;
- C. AIRS Survivors have indicated to Tseshaht First Nation that “there is no Reconciliation without Truth” and that “justice and accountability” must occur after these results have

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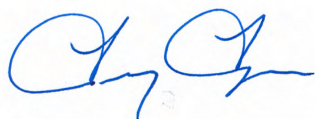
been shared with the world;

- D. the *United Nations Declaration on the Rights of Indigenous Peoples*, which the governments of Canada and British Columbia have adopted without qualification and passed into federal and provincial law, affirms the fundamental human rights of Indigenous peoples to practice and revitalize our cultural traditions and customs, including the right to maintain, protect and develop the past, present and future manifestations of our culture, such as historical sites, and the right to privacy in our religious and cultural sites, as well as the right to the repatriation of the human remains of our people;
- E. this resolution is without prejudice to First Nations Title and Rights, other First Nations who had Indian Residential Schools in their territories, and further potential action from First Nations and survivors with respect to Indian Residential Schools; and
- F. This resolution reflects initial next steps/action/justice required for Tseshaht First Nation from their Phase 1 scanning and research of the Alberni Indian Residential School which includes, but not limited to: their 26 Calls for Truth and Justice.

**THEREFORE BE IT RESOLVED THAT:**

1. BCAFN Chiefs-in-Assembly hereby support the Tseshaht First Nation in their Calls for Truth and Justice(attached) stemming from their research and scanning of the Alberni Indian Residential School(AIRS) to help ensure Truth, Justice and Accountability;
2. BCAFN Chiefs-in-Assembly hereby recommend that the Regional Chiefs support Tseshaht leadership and the Tseshaht First Nation to ensure that the Province of BC, Government of Canada, Royal Canadian Mounted Police(RCMP), faiths/churches not only meet with Tseshaht, but implement all of their Alberni Indian Residential School 26 Calls for Truth and Justice;
3. BCAFN Chiefs-in-Assembly direct the Regional Chief to advocate for Tseshaht First Nation's Calls for Truth and Justice at the National AFN level including the Executive, National Chief's Office and Chiefs in Assembly; and
4. BCAFN Chiefs-in-Assembly hereby call upon all applicable parties to implement Tseshaht First Nation's Calls for Truth and Justice.

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**Terry Teegee, BC Regional Chief**



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**Resolution 12/2023**

**SUBJECT: SUPPORTING FIRST NATIONS TO ACCESS SAFE, AFFORDABLE, RELIABLE AND LOW-CARBON TRANSPORTATION**

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

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**SECONDED BY: CHIEF HARVEY MCLEOD, UPPER NICOLA**

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**DECISION: CARRIED**

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### **WHEREAS:**

- A. First Nations have been practicing, developing, and evolving our modes of movement and transportation systems since time immemorial;
- B. Access to safe, adequate transportation and associated infrastructure has been impacted by colonization and systems that do not provide for the needs of those in rural and remote areas; those experiencing poverty; women; Two-Spirit, lesbian, gay, bi-sexual, trans, queer, questioning, intersex, and asexual, and others with gender and/or sexual diversity (2SLGBTQIA+); youth; elders; and those with disabilities;
- C. Access to safe and effective transportation impacts First Nations' human rights, including socioeconomic well-being, human security, and First Nations' inherent, constitutionally protected and Treaty rights;
- D. Decisions regarding transportation-related infrastructure have the potential to affect First Nations Title, Rights, and Interests;

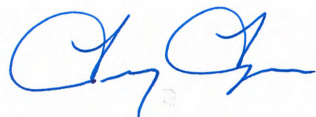
**Certified copy of a resolution adopted on the 10<sup>th</sup> day of March 2023**

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**Terry Teegee, BC Regional Chief**

- E. First Nations women, girls, and 2SLGBTQQIA+ people are especially impacted by lack of access to transportation, which contributes toward the crisis of missing and murdered Indigenous women, girls, and 2SLGBTQQIA+ people (MMIWG2S+);
- F. Recommendations regarding transportation were made in the 2006 Highway of Tears Symposium Report and 2019 Red Women Rising Report: Indigenous Women Survivors in Vancouver's Downtown Eastside, which have not been fully implemented;
- G. The National Inquiry into MMIWG2S+ Calls for Justice (CFJ) calls for all governments to ensure that adequate plans and funding are put into place for safe and affordable transit and transportation services and infrastructure (CFJ 4.8); and for transportation service providers to address sexual exploitation and human trafficking (CFJ 8.1);
- H. In recent years, dramatic events and climate-related disasters have further exposed the fragile and inequitable access to transportation experienced by First Nations in BC. Access to transportation is critical to resilience in the face of pandemics like COVID-19 and climate crisis events like wildfires, floods and heatwaves;
- I. There is an urgent need to globally reduce GHG emissions, address cumulative GHG emissions, and reach global net-zero. The United Nations Intergovernmental Panel on Climate Change report (2021) states "Each 1000 GtCO<sub>2</sub> of cumulative CO<sub>2</sub> emissions is assessed to likely cause a 0.27°C to 0.63°C increase in global surface temperature". The transportation sector emits the highest amount of CO<sub>2</sub> in BC (42% of the total BC GHG emissions). The majority of these emissions comes from road transport (light-duty gasoline and diesel vehicles and trucks, heavy-duty gasoline and diesel vehicles and propane and natural gas vehicles). Providing mechanisms to fairly reduce the carbon footprint from transportation is essential to fight against climate change;
- J. First Nations must be equipped to adopt clean transportation options and leverage associated economic opportunities, including using low-carbon fuels and active transportation;
- K. In 2022, the Chiefs-in-Assembly of the First Nations Leadership Council organizations supported and endorsed the BC First Nations Climate Strategy and Action Plan (Resolutions: BCAFN 6/2022, UBCIC #2022-04 and FNS #0222.06) which identifies key actions towards achieving clean transportation with First Nations, including:
  - a. Theme 4.2, Objective 4.2.1: Ensure reliable and affordable low-carbon and active transportation within and between First Nations communities. Action a: Review state-led policies and programs\* relating to low-carbon transportation and active transportation projects and develop reform recommendations to support the needs and priorities of First Nations both on and off reserve;
  - b. Objective 4.2.2: Support First Nations in reducing reliance on fossil fuels;

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**Terry Teegee, BC Regional Chief**



- L. 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:

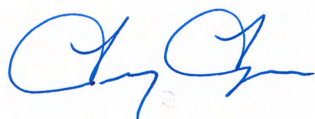
**Article 21: (1)** Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security. **(2)** States 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;

**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;

- M. Canada has set out the ambitious goal of “making clean, affordable transportation available in every community.” The Canada’s Healthy Environment and Healthy Economy Climate Plan (2020) contains specific measures and actions for the transportation sector to reduce emissions. More recently, Canada’s 2030 Emissions Reduction Plan (2022) provides a roadmap on how Canada will meet the goals of reducing transportation sector emissions through cleaner public transit, encouraging more active transportation, making ZEVs more affordable and accessible, and providing cleaner modes of air, marine, and rail travel;
- N. The BC Declaration Act Action Plan (Action 3.9) commits the province to address issues regarding transportation experienced by First Nations:
- a. Identify and implement multi-modal transportation solutions that provide support and enable the development of sustainable, safe, reliable and affordable transportation options for First Nations communities. (Ministry of Transportation and Infrastructure); and
- O. The CleanBC’s Roadmap to 2030 aims to accelerate the shift to lower-carbon transportation and prepare our transportation networks for climate impacts. As part of the Roadmap to 2030, the Province of BC committed to preparing and releasing a Clean Transportation Action Plan (CTAP) in 2023.

**THEREFORE BE IT RESOLVED THAT:**

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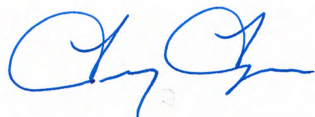


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**Terry Teegee, BC Regional Chief**

1. The BCAFN Chiefs-in-Assembly demands that any transportation-related plan developed by Canada and BC must be done so in cooperation with First Nations in BC, and must recognize and uphold First Nations inherent and constitutionally protected Indigenous Title, Rights, and Treaty Rights;
2. The BCAFN Chiefs-in-Assembly direct the BCAFN to advocate for the full recognition and implementation of First Nations' inherent, constitutionally protected, treaty and human rights connected to transportation, in particular as they relate to addressing issues of equity, safety and accessibility, low-carbon transportation, transportation that supports resilience in the face of the climate crisis, and First Nations Title and self-determination; and
3. The BCAFN Chiefs-in-Assembly direct the BCAFN to:
  - i. assess gaps and opportunities that restrict and assist First Nations in BC to access equitable, safe, reliable, and affordable low-carbon and active transportation and transportation services within and between communities, and provide recommendations for legislation, policy, and program reform to advance these goals; and
  - ii. develop a First Nations Low-carbon Transportation Planning Guide to support First Nations in developing strategies and plans to address their transportation needs and priorities.

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**Terry Teegee, BC Regional Chief**



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
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Website: www.bcafn.ca

**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 9-10, 2023**  
**Hybrid - In person & online via Zoom**

**Resolution 13/2023**

**SUBJECT: OMNIBUS TO ADOPT FOUR RESOLUTIONS**

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**MOVED BY: CHIEF LYNDA PRICE, ULKATCHO FIRST NATION**

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

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**DECISION: CARRIED**

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### WHEREAS:

- A. Upon review of the draft resolutions, it was determined that four (4) of the resolutions were resolutions that the BC Assembly of First Nations (BCAFN) Chiefs-in-Assembly could support via an omnibus resolution.

### THEREFORE BE IT RESOLVED THAT:

1. The BC Assembly of First Nations Chiefs-in-Assembly hereby adopt the following resolutions:

Number	Resolution Title
13(a)/2023	PROVINCIAL EMERGENCY MANAGEMENT LEGISLATION
13(b)/2023	SUPPORT FOR TITLE AND RIGHTS HOLDER TO TAKE LEGAL ACTION FOR THE OPIOID OVERPRESCRIBING AND THE OVERDOSE CRISIS

Certified copy of a resolution adopted on the 10<sup>th</sup> day of March 2023

Terry Teegee, BC Regional Chief

13(c)/2023	SUPPORT FOR TĪEMLÚPS TE SECWÉPEMC BID TO HOST THE 2027 NORTH AMERICAN INDIGENOUS GAMES
13(d)/2023	ALCOHOL REGULATION, FUNDING AND JURISDICTION

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Terry Teegee, BC Regional Chief



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**Resolution 13(a)/2023**

**SUBJECT: PROVINCIAL EMERGENCY MANAGEMENT LEGISLATION**

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**MOVED BY:**

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**SECONDED BY:**

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**DECISION:**

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### **WHEREAS:**

- A. First Nations must be full and equal partners in all aspects of emergency management decision-making, and all phases of emergency management implementation in their territories, as recommended in "Trail By Fire: Nadleh Whut'en and the Shovel Lake Fire Report", the Tsilhqot'in Nation's report "The Fires Awakened Us (Nagwedižk'an Gwaneš Gangu Chinidžed Ganexwilagh)" and the Abbott-Chapman report;
- B. On November 28, 2019, the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) received Royal Assent in the British Columbia Legislature, making the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) applicable to the laws of British Columbia;
- C. In October 2018, the Province of British Columbia became the first Canadian province to adopt the United Nations 2015-2030 *Sendai Framework for Disaster Reduction* (Sendai Framework) as the guiding approach for disaster risk reduction. The Sendai Framework states that natural disasters are exacerbated by climate change and are increasing in frequency and intensity, and outlines a set of practical recommendations to build a

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**Terry Teegee, BC Regional Chief**

culture of safety and resilience at all levels of government and across society regarding hazard and disaster risk reduction;

D. On March 30, 2022, the Province of British Columbia released its first 5-year Declaration Act action plan, outlining 89 specific actions the provincial government will take toward meeting the objectives of the UN Declaration. Action 1.10 commits to the co-development with First Nations in British Columbia of modernized emergency management legislation to replace the current *Emergency Program Act*;

E. The UN Declaration, 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;

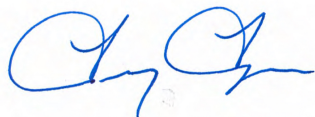
**Article 19:** States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them;

F. The current *Emergency Program Act* is not in alignment with the UN Declaration or the Sendai Framework, and fails to acknowledge the inherent Title, Rights and jurisdiction of First Nations in BC. Modernized provincial emergency management legislation must:

- a. Be consistent with the UN Declaration;
- b. Be co-developed with First Nations;
- c. Enable the Province to engage in joint and consent-based decision-making with First Nations in BC, recognizing First Nations' right to self-determination, jurisdiction and governance role in emergency management and related decision-making;
- d. Provide for effective government-to-government relationships for emergency management and support enhanced disaster risk governance and mitigation, effective response, recovery, rehabilitation and reconstruction; and
- e. Incorporate and use First Nations' laws and knowledge in all phases of emergency management; and

G. By BCAFN Chiefs-in-Assembly Resolution 25-2021 "Implementation of the *Declaration on the Rights of Indigenous Peoples Act* – Action Plan and Alignment of Laws," the

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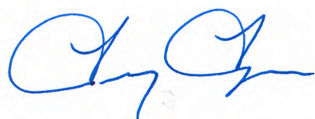
**Terry Teegee, BC Regional Chief**

BCAFN Chiefs-in-Assembly called on the Province of British Columbia, in partnership with the UBCIC, BC Assembly of First Nations (BCAFN), and the First Nations Summit (FNS), working collaboratively as the First Nations Leadership Council (FNLC), to engage with First Nations in BC and legal experts on additional measures to ensure that all new and existing provincial laws are consistent with the UN Declaration and are developed in consultation, cooperation and collaboration with First Nations.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly demands that any new provincial emergency management legislation replacing the *Emergency Program Act* be co-developed with First Nations in BC who are inherent Title and Rights holders, and be consistent with the UN Declaration and the Sendai Framework;
2. The BCAFN Chiefs-in-Assembly directs the Regional Chief to communicate to the Province that alignment of the *Emergency Program Act* with Indigenous human rights should achieve the following outcomes:
  - i. A coordinated and cooperative multi-jurisdictional landscape in emergency management, reflecting First Nations as self-determining and self-governing within their respective territories, with joint and consent-based decision-making;
  - ii. Government-to-government relationships in all phases of emergency management, planning, response, and recovery, including clear communications, transparency, and inclusive processes;
  - iii. Reduce climate change and disaster-related impacts, including those that threaten the diverse needs and knowledges of First Nations in all regions of the province.
  - iv. Inclusion and use of First Nations laws, knowledge, and worldviews in all phases of emergency management;
  - v. First Nations have the financial and technical support required to effectively respond to climate change and emergencies; 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, to ensure that while the provincial emergency management legislation is being updated, First Nations in BC receive financial and technical assistance from the Province of BC and/or Canada to recoup costs for keeping their communities safe during recovery and to continue working on prevention, and that recovery costs are not stalled due to jurisdictional disagreements between BC and Canada on who pays.

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**Terry Teegee, BC Regional Chief**



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**Resolution 13(b)/2023**

**SUBJECT: SUPPORT FOR TITLE AND RIGHTS HOLDER TO TAKE LEGAL ACTION FOR THE OPIOID OVERPRESCRIBING AND THE OVERDOSE CRISIS**

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**MOVED BY:**

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**SECONDED BY:**

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**DECISION:**

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### **WHEREAS:**

- A. Title and Rights Holders are aware that the government of British Columbia is taking legal action against Purdue Pharma and other opioid manufacturers to hold them accountable for knowingly misrepresenting impacts of opioids on patients and aggressively marketing them;
- B. First Nations leadership sees the long-term impacts of highly addictive opioids in our communities and the over prescribing to our people leading to other toxic drug habits;
- C. British Columbia continues to experience an unprecedented, escalating overdose and drug toxicity crisis, in which First Nations people were 5.4 times more likely than non-First Nations to fatally overdose in 2021;
- D. 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:

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**Terry Teegee, BC Regional Chief**



**Article 7(1):** Indigenous People have the right to life, physical and mental integrity, liberty and security of person;

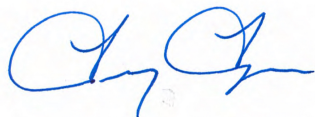
**Article 24(2):** Indigenous People have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

- E. First Nations communities see the far-reaching impacts on our people through increased homelessness, poverty, opioid addiction, and fatalities of toxic the drug supply;
- F. Title and Rights Holder see the opioid crisis as an epidemic in all of our First Nations communities and off-reserve populations;
- G. In 2018, the government of British Columbia launched a class-action lawsuit to recover healthcare costs of the overdose crisis and passed the *Opioid Damages and Healthcare Costs Recovery Act*, and in 2022, amended the Act to enable the federal government to join the lawsuit;
- H. Although the class action lawsuit includes federal and other provincial and territorial governments, it excludes First Nations governments; and
- I. The governments of BC and Canada began in 2022 to settle these lawsuits against pharmaceutical companies, including a \$150 million settlement with Purdue Pharma in 2022.

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly fully supports Title and Rights Holders to take legal action against the Province of British Columbia, Provincial Health services and the federal government for lax regulation and oversight that resulted in widespread over prescribing of highly addictive opioids to First Nations people, and providing unquestioned, excessive coverage for these dangerous opioids; and
2. That the BCAFN Chiefs Council directs the Regional Chief and staff to work with the federal and provincial governments, as well as the First Nations Health Authority, to advance compensation to Title and Rights Holders for the ongoing overdose crisis and related devastation and costs.

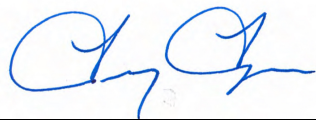
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**Terry Teegee, BC Regional Chief**

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**Terry Teegee, BC Regional Chief**



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**Resolution 13(c)/2023**

**SUBJECT: SUPPORT FOR TĪEMLÚPS TE SECWÉPEMC BID TO HOST THE 2027 NORTH AMERICAN INDIGENOUS GAMES**

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**MOVED BY:**

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**SECONDED BY:**

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**DECISION:**

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### WHEREAS:

- A. Indigenous peoples have a rich tradition of sport and tremendous athletes who have contributed to sport history in Canada;
- B. Canada's policies of forced assimilation banned cultural practices and created lasting barriers to health and well-being, including barriers to Indigenous sport and participation in the Canadian sport system. Despite attempts to stifle this history, Indigenous peoples remain strong in our culture and traditions of sport;
- C. the North American Indigenous Games (NAIG) is the largest multi-sport and cultural event hosted in Canada and the United States specifically targeted for Indigenous populations. The North American Indigenous Games will bring together more than 6,000 athletes, coaches and team staff from 756+ Indigenous Nations celebrating, sharing and reconnecting through sport and culture with the help of 3,000 volunteers;

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**Terry Teegee, BC Regional Chief**

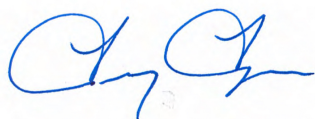
- D. the vision of the NAIG Council is to improve the quality of life of Indigenous Peoples by supporting self-determined sport and cultural activities which encourage equal access to participation in the social, cultural, and spiritual fabric of the community in which they reside, and which respects Indigenous distinctiveness;
- E. T'kémlúps te Secwépemc (TteS) along with the City of Kamloops, have won the right to represent British Columbia, competing against Calgary, to host the 2027 North American Indigenous Games;
- F. the TteS bid is the only Indigenous-led bid competing to host the 2027 NAIG;
- G. 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 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;

**Article 31 (1):** 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. **(2):** In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights;

- H. Indigenous communities in British Columbia are committed to building stronger and healthier communities and acknowledge the important role that sport can play in building self-esteem, leadership skills and achieving positive social change;
- I. the NAIG Council estimates an economic impact of \$20 million for the region that hosts the games;

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**Terry Teegee, BC Regional Chief**

- J. the chance for T'kémúlps te Secwépemc to host the 2027 NAIG represents an opportunity showcase diversity and pride in our Indigenous cultures;
- K. the Truth and Reconciliation Commission of Canada Calls to Action uphold the rights of Indigenous peoples in sport and state:

88: We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel;

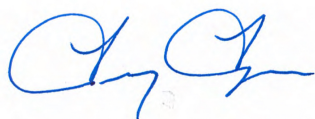
90: We call upon the federal government to ensure that national sports policies, programs, and initiatives are inclusive of Aboriginal peoples, including, but not limited to, establishing:

- a. In collaboration with provincial and territorial governments, stable funding for, and access to, community sports programs that reflect the diverse cultures and traditional sporting activities of Aboriginal peoples.
  - b. An elite athlete development program for Aboriginal athletes.
  - c. Programs for coaches, trainers, and sports officials that are culturally relevant for Aboriginal peoples; and
- L. the T'kémúlps te Secwépemc are committed to safely hosting the 2027 NAIG Games, in a manner that upholds the cultural integrity of our people, provides economic opportunities to our business people and artisans, as well as showcases the talent of British Columbia's First Nations athletes;

**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly will be provided regular updates on the progress of the North American Indigenous Games if T'kémúlps te Secwépemc and City of Kamloops win the bid;
2. The T'kémúlps te Secwépemc and City of Kamloops bid Committee, and subsequent NAIG Society, will continue to work with BCAFN and like-minded organizations to ensure that, if the TteS Bid is selected, that they have the opportunity to showcase the diversity of First Nations cultures across BC; and
3. The BCAFN Chiefs-in-Assembly fully supports T'kémúlps te Secwépemc and the City of Kamloops in their pursuit of hosting the 2027 North American Indigenous Games.

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**Terry Teegee, BC Regional Chief**



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**Resolution 13(d)/2023**

**SUBJECT: ALCOHOL REGULATION, FUNDING AND JURISDICTION**

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**Moved BY:**

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**SECONDED BY:**

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**DECISION:**

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### **WHEREAS:**

- A. Alcohol is a legal substance that is widely normalized and often portrayed as low risk, despite being identified as a Class 1 carcinogen in 1987 by the World Health Organization, causing over 14,000 deaths and 88,000 hospitalizations in Canada in 2014, and being associated with at least 43 major categories of disease;
- B. First Nations people experience disproportionate alcohol related harms, including a three times higher rate of deaths attributed to alcohol than other BC residents;
- C. Federal and provincial governments continue to regulate alcohol in ways that promote access and availability, and underfund essential services, supports and education, both for the general public and Indigenous peoples;
- D. 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:

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**Terry Teegee, BC Regional Chief**

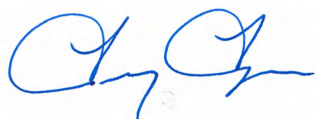
**Article 21 (1):** Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security; **(2):** States 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;

**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 programs affecting them and, as far as possible, to administer such programs through their own institutions;

**Article 24 (2):** Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

- E. Alcohol contributes to wide-ranging social, health, and justice issues, including domestic violence and the overdose crisis, with the BC Coroner's Service finding that alcohol was present in 29% of illegal drug overdose deaths in 2021 and stating that it exacerbates the crisis;
- F. Research has established the connection between trauma and hopelessness and harmful alcohol use, including increased risk of binge drinking for those whose parents attended residential schools;
- G. The In Plain Sight report found that 23% of Indigenous respondents were likely to feel "not at all safe" when using mental health or substance use services, and current alcohol treatment services are unable to meet demand, are plagued by excessive wait times, and have additional barriers for Indigenous people, such as culturally inappropriate programs and inaccessibility for remote First Nations;
- H. Through BCAFN Resolution 15/2006 *Support for Pilot Project for Drug and Alcohol Programs* Chiefs-in-Assembly advocated for government funding policing and priorities to reflect the need for pre/post treatment and other supportive initiatives;
- I. The BCAFN Board of Directors has supported BCAFN events that are alcohol free, and events where there are alcohol-free options, spaces, and supports;

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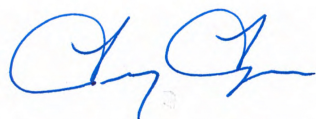
**Terry Teegee, BC Regional Chief**

- J. Alcohol incurs the highest cost to society of all illegal and legal substances, while simultaneously being a revenue source for governments, with Canada-wide revenue totaling \$10.9 billion and BC's revenue totaling \$1.6 billion in 2014;
- K. Although longstanding research has shown the carcinogenic harms of alcohol, there have been no public education campaigns in BC on this risk and the general population has low knowledge of the carcinogenic risks or lower risk drinking guidelines;
- L. The BC government increased the availability and accessibility of alcohol during the COVID-19 pandemic, and has no plans to revoke these regulations or move forward a holistic approach to alcohol regulation, education, supports and services; and
- M. The BC government has no plans move forward a holistic approach to alcohol regulation, education, supports and services, and is advancing minimum alcohol pricing that could cause unintended negative impacts on vulnerable populations if it is not accompanied by a holistic approach. BC completed preliminary consultation on minimum pricing with health organizations and only Treaty First Nations, excluding the majority of BC First Nations.

**THEREFORE BE IT RESOLVED THAT:**

1. The BC AFN Chiefs-in-Assembly fully supports First Nations exercise of their jurisdiction in alcohol laws, controls and initiatives and calls upon all levels of governments to work in partnership with them, as mandated by the United Nations Declaration on the Rights of Indigenous Peoples;
2. The BC AFN Chiefs-in-Assembly calls on the governments of British Columbia and Canada to take a holistic, culturally-appropriate approach to alcohol regulation that respects title and rights and reflects the unique needs of First Nations, and to provide increased funding for both First Nations-specific and culturally-safe mainstream alcohol prevention and treatment services and supports;
3. The BC AFN Chiefs-in-Assembly demands that BC's future engagements and consultations related to alcohol are completed in accordance with the United Nations Declaration on the Rights of Indigenous Peoples and ensure engagement with all First Nations regardless of whether or not they are involved in the BC Treaty Commission process; and
4. The BC AFN Chiefs-in-Assembly directs the BCAFN Regional Chief and BCAFN staff to work with federal, provincial and municipal governments and liaise with the First Nations Health

**Certified copy of a resolution adopted on the 10<sup>th</sup> day of March 2023**



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**Terry Teegee, BC Regional Chief**



Authority and other like-minded organizations, on alcohol regulations and funding to reduce alcohol-related harms, increase Indigenous-specific supports, ensure cultural-safety in mainstream services, and recognize and support First Nations jurisdiction and initiatives.

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A handwritten signature in blue ink, appearing to read 'Terry Teegee', is positioned above a horizontal line.

**Terry Teegee, BC Regional Chief**