



BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
October 8, 9 & 10, 2024
Hybrid - In person & online via Zoom

Resolution 18/2024

SUBJECT: **COLLABORATIVE TABLE TO IMPLEMENT THE CALLS FOR JUSTICE**

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

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

DECISION: **CARRIED**

WHEREAS:

- A. Indigenous peoples in B.C. are disproportionately affected by violence, domestic violence and gender-based violence (GBV), the Missing and Murdered Indigenous Women, Girls, and Two-Spirit+ crisis (MMIWG2S+), and ongoing genocide rooted in colonialism;
- B. B.C. has the unfortunate claim of being the home of the Highway of Tears, Vancouver's Downtown Eastside, and the Robert Pickton case, all of which have been notorious sites of brutal, systemic GBV against Indigenous women, girls and 2SLGBTQIA+ peoples;
- C. five years after the National Inquiry into Missing and Murdered Indigenous Women and Girls (the National Inquiry) published the Calls for Justice on June 3, 2019, the MMIWG2S+ crisis continues to be extremely pervasive and cause immeasurable harm to families, friends, and entire communities whose loved ones are taken by perpetrators of GBV;
- D. provincially, work pertaining to GBV prevention and addressing the MMIWG2S+ crisis is taking place across various ministries without cohesive coordination, including within the Ministry of Public Safety and Solicitor General (Path Forward, Crime Victim Assistance Program, Police Act

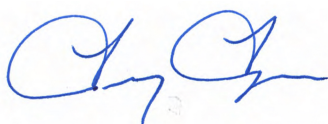
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Reform), the Ministry of Finance Gender Equity Office (Gender-Based Violence Action Plan), the Ministry of the Attorney General (Family Law Act Amendments), the Ministry of Post Secondary Education and Future Skills (Preventing Sexual Violence at Post-Secondary Institutions), and the Ministry of Housing (Home for People and Belonging in B.C. Action Plans);

- E. the government of Canada's efforts have focused on the implementation of a National Action Plan to End Gender-Based Violence (NAP). The NAP and Canada's accompanying Federal Pathway have been criticized for lacking coordination between jurisdictions, timelines for implementation, clear actions in response to the Calls for Justice, inclusion of family members, survivors and Indigenous women's organizations, remedies to sex discrimination in the Indian Act and accountability mechanisms;
- F. a lack of reporting out, transparency and coordination between ministries and across levels of government is creating silos, preventing a collaborative approach to implementing the Calls for Justice and is ultimately failing to address the systemic origins of the MMIWG2S+ crisis;
- G. a variation of a federal, provincial, territorial, Indigenous (FPT-I) table on MMIWG2S+ has been established to occur annually; however, besides this, there is no collaborative mechanism for First Nations, families of MMIWG2S+ and survivors in B.C. to advance meaningful progress and accountability on planning for and implementing the Calls for Justice;
- H. the United Nations Declaration on the Rights of Indigenous Peoples, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:
 - Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
 - (2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.
 - Article 22(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;
- I. the National Inquiry's Calls for Justice, Red Women Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside, and Highway of Tears Symposium Recommendations Report clearly outline 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 2SLGBTQIA+ people. These reports provide concrete, actionable recommendations and a clear

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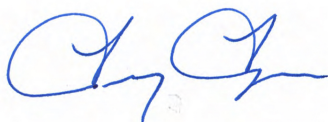


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path to creating systemic change and ending violence by calling on government in the areas of culture, human security, health, and justice; on industries, institutions, service providers and partners, including the media, health providers, transportation and hospitality providers, educators, social workers, extractive industries, police services and justice actors, and the Canadian public;

- J. the Calls for Justice arise from international and domestic human and Indigenous rights laws, including the Charter, the Constitution, and the Honour of the Crown. As such, Canada has a legal obligation to fully implement these Calls for Justice;
- K. the National Inquiry's Calls for Justice specifically call for governments, police and Canadians to take all necessary measures to prevent and investigate violence against Indigenous women (1.5, 1.8); eliminate jurisdictional gaps (1.6); develop laws, policies, and public education campaigns to challenge violence (1.9); create an independent mechanism to report on the implementation of the National Inquiry's Calls for Justice (1.10); enact missing persons legislation (5.8); and help hold all governments accountable to act on the Calls for Justice, and to implement them (15.8);
- L. by BCAFN Resolution 34/2008; 06/2009; 06/2012; 06/2020; 01/2021; 02/2023; 16/2024 and 01/2024, the BCAFN Chiefs-in-Assembly has worked to address issues of missing Indigenous people and GBV, to advocate for the implementation of the Calls for Justice and for federal legislation creating accountability and legal standards for preventing and responding to cases of MMIWG2S+ people. By BCAFN Resolution 02/2023, BCAFN has commissioned a memo of the legal landscape of policies and legislation pertaining to protections against GBV;
- M. other jurisdictions have been proactive in addressing the MMIWG2S+ crisis through the establishment of collaborative advisory tables and task forces with representation from all levels of government, police, families, survivors, and Indigenous communities. Many such examples have resulted in cohesive approaches to addressing GBV, including the development of policy and legislation and accountability mechanisms. Among these are the Yukon Advisory Committee on MMWIG2S+, the Washington State Missing and Murdered Indigenous People Task Force, US Federal Legislation Savannah's Act and the Not Invisible Act, and the US Not Invisible Act Commission;
- N. families and survivors, Indigenous communities and Indigenous organizations have worked to fill the gaps left by government with efforts such as the B.C. First Nations Justice Council's Indigenous Women's Justice Plan or the Native Women's Association of Canada's MMIWG2S+ Action Plan and beyond;
- O. the establishment of a collaborative table to implement the National Inquiry's Calls for Justice is an opportunity for a streamlined-coordinated approach for regional implementation of the Calls for Justice. The collaborative table should be distinct from existing efforts and be hosted by B.C.,

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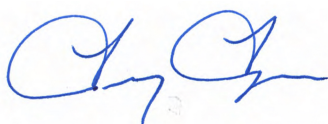
with participation from partners, survivors and families, in light of the Province's responsibility to address the crisis which stems from the intersecting impacts of colonialism;

- P. the purpose of a collaborative table is to improve accountability for implementing the Calls for Justice, communication with families, enhance coordination and collaboration, and advance UN Declaration implementation; and
- Q. the collaborative process should include provincial and federal political and First Nations representatives with regional representation and representation from across ministries and levels of government and include the First Nations Leadership Council and B.C. First Nations Justice Council, as well as perspectives from families and survivors of MMIWG2S+ and 2SLGBTQQIA+ people, working together to implement the Calls for Justice.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly directs the Regional Chief and staff to work with the Union of British Columbia Indian Chiefs and First Nations Summit, collectively as the First Nations Leadership Council, and like-minded organizations including the B.C. First Nations Justice Council, to work with the provincial and federal governments for the establishment of a dedicated table to implement the Calls for Justice in B.C.; and
2. The BCAFN Chiefs-in-Assembly calls on the provincial and federal governments to:
 - Learn from collaborative MMIWG2S+ initiatives in other jurisdictions;
 - commit to a collaborative table, which is distinct from existing efforts, to work across levels of government and between ministries to address systemic GBV prevention, implement the Calls for Justice, and end the crisis of MMIWG2S+ people;
 - work collaboratively with the B.C. Assembly of First Nations, Union of British Columbia Indian Chiefs, and First Nations Summit, collectively as the First Nations Leadership Council, and the B.C. First Nations Justice Council, to develop a terms of reference for a collaborative table to implement the Calls for Justice;
 - include survivors and families of MMIWG2S+ and 2SLGBTQQIA+ people, First Nations and women's organizations; and
 - provide sustainable multi-year funding, resourcing and capacity to support the development and objectives of the table and for B.C. to begin the technical work of establishing the table without delay.

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