



## 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 22/2024**

**SUBJECT:** SUPPORT IN PRINCIPLE FOR THE ESTABLISHMENT OF A FIRST NATIONS CANNABIS INSTITUTION/REGULATOR

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**Moved BY:** COUNCILLOR CLINT TUTTLE, PROXY, SUMAS FIRST NATION

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**SECONDED BY:** CHIEF CLARENCE LOUIE, OSOYOOS INDIAN BAND

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**DECISION:** CARRIED

8 ABSTENTIONS

2 OBJECTIONS

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#### WHEREAS:

- A. First Nations have the inherent right to govern all aspects of cannabis in their territories, including, but not limited to, law-making, regulation, and enforcement regarding the cultivation, processing, distribution, inter-nation trade, sale, possession, and use of cannabis and all its derivatives;
- B. These rights are affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples* in Articles 2, 3, 4, 5, 8(2)(b) & (c), 18, and 23, which has been made law in British Columbia through the Declaration on the Rights of Indigenous Peoples Act, and in Canada through the United Nations Declaration on the Rights of Indigenous Peoples Act;

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Certified copy of a resolution adopted on the 8<sup>th</sup> day of October 2024

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Terry Teegee, BC Regional Chief

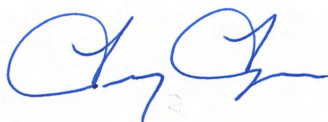
- C. Through BCAFN Resolutions 2018-03(e), 2019-21(b), 2021-16, and 09/2022 the BCAFN Chiefs-in-Assembly have called for the recognition of First Nations jurisdiction in cannabis matters and directed the development of a BC First Nations Cannabis Strategy;
- D. To inform the development of the draft BC First Nations Cannabis Strategy, the First Nations Leadership Council (FNLC) conducted extensive engagement with BC First Nations and community members through virtual sessions, written feedback, and one-on-one meetings;
- E. The engagement process for the draft BC First Nations Cannabis Strategy consistently highlighted the need for a First Nations Cannabis Institution to serve as a vehicle for First Nations to assume full jurisdiction over the First Nation Cannabis industry, with the initial step being to take on regulatory responsibility from the Province;
- F. The creation of a First Nations Cannabis Regulatory Structure (FNCR) or Institution has been identified as a crucial component in implementing the goals and objectives outlined in the draft BC First Nations Cannabis Strategy;

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly support the formation of a First Nations Cannabis Institution, as recommended in the draft BC First Nations Cannabis Strategy (Strategy), with the mandate to collaborate with the Province in developing a First Nations Cannabis Regulatory Structure (FNCR) or Institution that aligns with the goals and objectives outlined in the Strategy;
2. The BCAFN Chiefs-in-Assembly to support the right for individual BC First Nations to fully participate in the Institution/FNCR through an opt-in provision, depending on their own internal decisions and ratification processes;
3. The BCAFN Chiefs-in-Assembly support, in principle, engagement with the BC Government to begin discussions in relation to the creation of an institution which would advocate for First Nations governance and jurisdiction over cannabis matters,
4. The BCAFN Chiefs-in-Assembly direct the Regional Chief, working in collaboration with the Union of BC Indian Chiefs and the First Nations Summit as the First Nations Leadership Council, and the BC-FNLC Joint Working Group on the Legalization and Regulation of Non-Medical Cannabis in BC (JWG) to work with the Province in the development of options in relation to the structure and governance of the Institution;

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**Certified copy of a resolution adopted on the 8<sup>th</sup> day of October 2024**



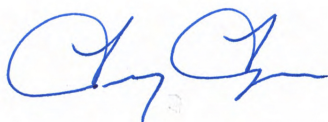
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**Terry Teegee, BC Regional Chief**

5. The BCAFN Chiefs in Assembly maintain that the institution/FNCR does not replace the obligation of the Crown to directly engage with the rights and title holders , and will advance the sovereignty and jurisdiction of First Nations that choose to opt-in;
6. The BCAFN Chiefs-in-Assembly to call on the proposed Institution/FNCR to report back regularly to the Chiefs-in-Assembly; and
7. The Institution/FNCR will be guided by principles that include, but are not limited to:
  - a. Asserting Sovereignty and Jurisdiction
  - c. Regulatory Alignment and Integration
  - d. Economic Development
  - e. Health and Safety
  - f. Community Engagement and Input
  - g. Environmental Stewardship
  - h. Cultural Preservation
  - i. Legal and Regulatory Clarity
  - j. Inter-Nation Collaboration; and
  - k. Social Equity

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**Certified copy of a resolution adopted on the 8<sup>th</sup> day of October 2024**



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**Terry Teegee, BC Regional Chief**