



BC ASSEMBLY OF FIRST NATIONS

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

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

Resolution 38/2024

SUBJECT: BC FIRST NATIONS JUSTICE COUNCIL'S INDIGENOUS WOMEN'S JUSTICE PLAN

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

SECONDED BY: CHIEF SHANA THOMAS, LYACKSON FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. The BC First Nations Justice Council (BCFNJC) was first envisioned by First Nations in BC in the 2007 "BC First Nations Justice Action Plan" and created by the First Nations Leadership Council (FNLC) in 2015 through resolutions endorsed at the assemblies of the Union of BC Indian Chiefs (UBCIC), BC Assembly of First Nations (BCAFN) and the First Nations Summit (FNS).
- B. In 2020, the BC First Nations Justice Strategy, which contains 25 individual strategies and 43 lines of action, was endorsed through UBCIC Resolution 2020-12, BCAFN Resolution 16/2020 and FNS Resolution #0220.06;
- C. Strategy 11 of the BC First Nations Justice Strategy calls for the creation of an Indigenous Women's Justice Plan (IWJP) as well as a strategy to address the challenges of intimate partner violence.
- D. The disproportionate, pervasive and persistent violence and crimes faced by Indigenous women are rooted in colonialism and have been repeatedly exposed in essential reports and inquiries, including the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls, the Calls to Action of the Truth and Reconciliation Commission, Red Women

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Rising: Indigenous Women survivors in Vancouver's Downtown Eastside, and the Highway of Tears Symposium Recommendations

- E. The BCFNJC's IWJP is grounded in these foundational reports and inquiries, does not duplicate existing First Nations efforts or compete for funding for communities or other organizations working in this space, and seeks to utilize BCFNJC's unique position to uphold and advance these imperative calls.
- F. The *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of BC and Canada, passed legislation committing to implement, affirms:

Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

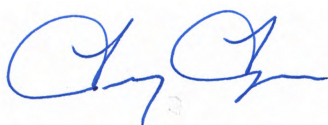
Article 5: Indigenous peoples have the right to maintain and strengthen their own distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 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 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.

- G. In fall 2023, the BCFNJC engaged with title and rights holders across BC, holding 17 engagement sessions in communities and three virtual sessions, to develop an IWJP that reflects the needs, priorities and vision of First Nations and uplifts work towards self-determination and reclamation.
- H. The IWJP serves as a framework for action and sets a path for the BCFNJC to advance tangible reforms with the colonial governments, including to policing, corrections, child welfare, courts and crown as well as accountability measures for cases of Indigenous women, girls and 2SLGTBQIA+ who are missing and murdered.
- I. The IWJP calls on the federal and provincial governments to collaborate with the BCFNJC to implement the 15 strategies and 42 Lines of Action (LOA), which offer a description of the steps this plan intends to take to uphold the various calls and recommendations from the multitude of reports, grassroots activists, and engagements.
- J. Strategies included within the plan are: Accountability; Prevention; Legal Aide & Indigenous Justice Centers; Policing; Corrections; Gladue Service Department; Access to Safety-

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Transportation and Cellular services; Man Camps., resource Extraction and Land Exploitation; Crisis Response; MMIWG2s+ Fund; Child Welfare; First Nations Courts; Crown Counsel and BC Prosecutorial Service; 2SLGTBQIA+; Legislation and Policy. These strategies focus on Track 1 (reforming the current justice system) and Track 2 (rebuilding First Nations justice system) pathways to change.

K. Track 1 includes:

- a. Accountability; Development of a Public Platform: focuses on ensuring there is an easily accessible, public space where criminal and social justice actors such as government bodies, Police, Courts, and Organization' responsibilities and progress are tracked and plainly reported.
- b. Policing; Recruitment and Training focuses on ensuring revision, screening and a zero-tolerance policy within recruitment and training in DEPOT. Training will include Indigenous legal traditions, mental health, etc.

L. Track 2 includes:

- a. Accountability: Indigenous led-Tribunal: focuses on ensuring Indigenous women, girls, and 2S+ who make complaints are being heard, properly investigate with power given to First Nation communities to create their own means of resolution.
- b. Child Welfare: Jurisdiction Support: focuses on supporting First Nations to reclaim their inherent rights for jurisdiction over their children.

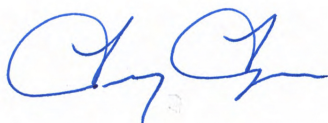
M. In April 2024, at the 3rd Annual BCFNJC Justice Forum, the IWJP was made public and further opportunities for feedback were facilitated.

N. The IWJP is intended to center Indigenous women and acknowledges that creating change takes time. The IWJP is a living document that is responsive to the unique needs and priorities of title and rights holders and can be updated to meet future needs, this version is termed the "Final Draft" to reflect both its readiness for implementation and future adaptability and ongoing assessment.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly fully endorses the BC First Nations Justice Council (BCFNJC) Indigenous Women's Justice Plan (IWJP) as called for the Strategy 11 of the BC First Nations Justice Strategy;
2. The BCAFN Chiefs-in-Assembly call on the BCFNJC to continue working collaboratively with title and rights holders and other First Nations organizations in its implementation of the IWJP to uplift ongoing work and avoid duplication. The BCAFN Chiefs-in-Assembly recognizes that the IWJP does not preclude provincial and federal governments from their obligations to address

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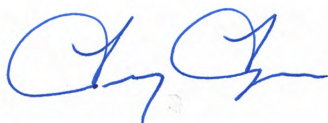


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gender-based violence and the MMIWG2S+ crisis within the *Declaration on the Rights of Indigenous Peoples Act*, the *United Nations Declaration Act* and the National Inquiry's Calls for Justice; and

3. The BCAFN Chiefs-in-Assembly direct the Regional Chief and staff to communicate this support to the governments of BC and Canada.

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