



## BC ASSEMBLY OF FIRST NATIONS

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**BCAFN ANNUAL GENERAL MEETING**  
**October 28, 29 & 30, 2025**  
**Hybrid - In person & online via Zoom**

**Resolution 25/2025**

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**SUBJECT:** **RESPONSE TO CANADA'S 2025-26 DISTRIBUTION OF SPECIFIC CLAIMS  
RESEARCH FUNDING AND EROSION OF FIRST NATIONS' RIGHT TO JUSTICE**

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**Moved BY:** **CHIEF DAN MANUEL, UPPER NICOLA BAND**

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

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**DECISION:** **CARRIED**

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**WHEREAS:**

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

- i. 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.
- ii. 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.
- iii. 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.
- iv. Article 27: States shall establish and implement, in conjunction with Indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due

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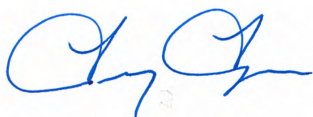
**Terry Teegee, BC Regional Chief**

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.

- v. 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, used or damaged without their free, prior and informed consent.
  - vi. Article 28(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.
- B. The specific claims process is one of the few mechanisms available for First Nations to exercise their right to redress for historical breaches by the Crown, and specific claims research funding is fundamental to the process.
- C. Since 2019, Canada has budgeted \$12 million for specific claims research and development across Canada and 2025-26 is the last year of this budget commitment, when the amount of available funding will sunset to \$4 million unless Canada commits to renewing and increasing available funding;
- D. There is an alarming shortfall in specific claims research funding according to Canada's own data which shows that Claims Research Units (CRU) and individual First Nations together applied for over \$34 million in 2025-26, a shortfall of \$22 million, and an \$8 million increase over last year's shortfall;
- E. First Nations in B.C. account for 53 percent of filed claims currently in progress, 43 percent of claims that have been through the process but have been rejected for negotiation or had their files closed, and have the largest number of claims currently in research and development;
- F. Claims Research Units (CRUs), established and mandated by First Nations, are currently mandated to research and develop over 80 percent of all active claims and are a critical means by which First Nations pursue justice for their historical claims.
- G. Canada has stated that for the 2025-26 fiscal year, it received a significant increase in the number of research funding applications from individual First Nations and the number of claims on CRUs' funding proposals.
- H. Canada distributed the \$12 million in research funding available for 2025-26 according to a unilaterally devised and non-transparent system which allocated funding to individual First Nation applicants, and then to mandated CRU applicants with the result that:
- i. individual First Nations applicants have received insufficient funding (25 percent less than the maximum claim allowance of \$40,000 per claim and, on average, 50-75 percent less than they requested);

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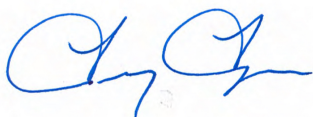
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- ii. CRUs have received severe and debilitating cuts to their budgets (up to 83 percent), directly impacting 80 percent of all First Nations-mandated claims in research and development, and;
  - iii. the ability of all First Nations to advance their specific claims through their chosen mechanisms has been significantly compromised, as longstanding research programs now struggle to survive and research progress on hundreds of claims will be curtailed.
- I. Canada failed to inform CRUs and First Nations of the 2025–26 funding allocations until three months into the fiscal year, after CRUs had already committed staff and resources based on previous levels and past funding practices, incurring unrecoverable costs and leaving a fraction of resources to stretch over the remainder of the fiscal year.
  - J. Canada also failed to apply or communicate any consistent, transparent methodology for allocating funds, creating sudden, destabilizing shortfalls that will derail ongoing research work, bar First Nations from advancing new claims, undermine their access to justice, and waste already scarce resources.
  - K. By arbitrarily cutting CRU budgets — despite their economies of scale and ability to advance the greatest number of claims — and by underfunding individual First Nation applicants, Canada will effectively reduce the number of claims able to be advanced, essentially squandering limited public funds.
  - L. These cuts compound a growing crisis that undermines both First Nations’ access to justice and Canada’s previous commitment to co-develop an independent specific claims process, and will lead to structural failure, regional inequities, and long-term system paralysis.
  - M. These actions contravene Canada’s obligations under the UN Declaration, fail to uphold the Honour of the Crown, and contradict Canada’s public commitment to reconciliation and redress of past harms.
  - N. These actions will indefinitely delay the resolution of historical claims and by doing so will inject uncertainty into land-based processes and compound risks to major energy, infrastructure, and resource development projects.
  - O. On September 23, 2025 CIRNAC announced that a \$2.65 million supplement to 2025-26 specific claim research and development funding will be made immediately available to *eligible* CRUs in response to First Nations’ calls to provide an urgent supplement to the 2025–2026 research envelope to reach a minimum of \$35 million, in line with need demonstrated on work plans to uphold First Nations’ mandates to have CRUs research and develop their claims; and
  - P. The September 23rd supplement is far below the need demonstrated on CRU work plans and even with this top-up to their budgets, many CRUs continue to face significant hardship as they struggle to retain staff and afford legal costs associated with claim development, and conduct research activities and the overall funding shortfall remains more than \$19 million.

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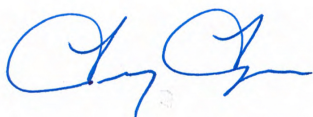
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**THEREFORE BE IT RESOLVED THAT:**

1. The BCAFN Chiefs-in-Assembly affirm that First Nations have the right, in accordance with *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) Articles 18, 19, 26, 27, and 28, to choose how their historical grievances are researched and advanced—whether through mandated Claims Research Units (CRUs) or as individual applicants—and that Canada must ensure equitable and appropriate funding for both pathways, consistent with First Nations' mandates, needs, and right to redress;
2. The BCAFN Chiefs-in-Assembly denounce the 2025–2026 distribution of specific claims research funding as it was undertaken without consultation, transparency, and respect for First Nations' self-determined representation and research mechanisms;
3. The BCAFN Chiefs-in-Assembly direct the Regional Chief to engage with the Prime Minister and Minister of Crown-Indigenous Relations to urgently address the funding crisis and ensure sustainable and equitable access to claims research support for all First Nations.
4. The BCAFN Chiefs-in-Assembly direct the Regional Chief to Call on Canada to:
  - a. co-develop, with First Nations, a reformed specific claims research funding model that is transparent, equitable, needs-based, and grounded in the UN Declaration, Treaty rights, and First Nations' right to choose their own representatives and research mechanisms;
  - b. Provide an increase to \$35 million to the research funding envelope for the 2026–2027 fiscal year, to ensure stable and sufficient funding for First Nations research that reflects the needs identified in the work plans of CRUs and individual First Nation applicants;
  - c. to maintain this level of funding until a reformed specific claims research funding model has been fully co-developed and endorsed by First Nations, ensuring all First Nations are able to fully participate in the specific claims process and exercise their right to redress; and
5. The BCAFN Chiefs-in-Assembly affirm that the 2025–26 funding crisis demonstrates the urgent need for Canada to return to the co-development table to honour its past commitments by re-engaging in good faith with First Nations to co-develop a fully independent specific claims policy and process, beginning with adequate, stable, and transparent research funding that enables First Nations to investigate, prepare, and advance their claims through mechanisms of their own choosing.

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