

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-15**

## **RE: Joint Statement from Participating Nations Regarding the BC Clean Energy Act**

**WHEREAS** the UBCIC Chiefs Council asserts that the Title and Rights of the respective Nations have never been ceded;

**WHEREAS** the Government of British Columbia is attempting to pass the Clean Energy Act;

**WHEREAS** a number of First Nations' recommendations in the Green Energy Task Force report were meant to ensure that Indigenous interests were incorporated into the proposed act;

**WHEREAS** the Government of British Columbia ignored nearly all of the First Nations recommendations in the Green Energy Task Force report and failed to consult First Nations on the Clean Energy Act;

**WHEREAS** the UN Declaration on the Rights of Indigenous Peoples confirms that the free, prior and informed consent of Indigenous Peoples must be achieved prior to any decisions that will impact their communities;

**WHEREAS** on May 19<sup>th</sup>, 2010, 47 First Nations signed a Joint Statement from Participating Nations Regarding the BC Clean Energy Act calling for the Clean Energy Act to be delayed for at least 6 months until adequate consultation and accommodation of our Rights, Title and interests occurs; and

**WHEREAS** an All Chiefs meeting has been called for June 8<sup>th</sup>, 2010 at Chief Joe Mathias Hall to discuss the impacts of the Clean Energy Act and to develop a coordinated action plan;

**THEREFORE BE IT RESOLVED** the Union of BC Indian Chiefs Council has reviewed and supports the attached May 19, 2010 Joint Statement from Participating Nations Regarding the BC Clean Energy Act;

**THEREFORE BE IT FURTHER RESOLVED** the Union of BC Indian Chiefs Council reminds the British Columbia government that the land question remains unresolved in British Columbia, and that resource revenue sharing, joint decision making and joint planning must occur with regard to the Clean Energy Act;

**THEREFORE BE IT FINALLY RESOLVED** the Union of BC Indian Chiefs Council directs the UBCIC Executive and staff to work with First Nations, the First Nations Summit, BC Assembly of First Nations, the BC First Nations Energy and Mining Council and like-minded organizations to ensure their interests are addressed.

**Moved:** Chief Nelson Leon, Adams Lake Indian Band  
**Seconded:** Chief Fred Sampson, Siska Indian Band  
**Disposition:** Carried  
**Date:** June 3, 2010



507-100 Park Royal South  
West Vancouver, BC  
V7T 1A2

Ph: 604-922-7733  
Fx: 604-922-7433



1200-100 Park Royal South  
West Vancouver, BC  
V7T 1A2

Ph: 604-926-9903  
Fx: 604-926-9923  
Toll Free: 866-990-9939



500-342 Water Street  
Vancouver, BC  
V6B 1B6

Ph: 604-684-0231  
Fx: 604-684-5726

May 21, 2010

Honourable Blair Lekstrom  
Minister of Energy, Mines and Petroleum Resources  
PO Box 9060 Stn Prov Govt  
Victoria, BC V8W 9E2  
VIA FAX: (250) 356-2965

Honourable George Abbott  
Minister of Aboriginal Relations and Reconciliation  
PO Box 9060 Stn Prov Govt  
Victoria, BC V8W 9E2  
VIA FAX: (250) 953-4856

Dear Honourable Ministers,

First Nations leaders have significant concerns regarding the BC Clean Energy Act, and earlier this week issued the attached joint statement on the proposed legislation.

We understand that there is a confirmed meeting with some of the coastal Chiefs that have echoed these concerns. We fully support this request and encourage that the meeting be held prior to the Committee Stage to allow for amendments to occur prior to the passage of the bill.

Sincerely,

**On behalf of the FIRST NATIONS SUMMIT:**

Grand Chief Edward John

Dan Smith

Grand Chief Doug Kelly

**On behalf of the UNION OF BC INDIAN CHIEFS**

Grand Chief Stewart Phillip

Chief William Charlie

Chief Robert Chamberlin

**On behalf of the BC ASSEMBLY OF FIRST NATIONS:**

Regional Chief Jody Wilson-Raybould

cc. Dave Porter, BC First Nations Energy and Mining Council  
Hon. Gordon Campbell, Premier of British Columbia

# Joint Statement from Participating Nations Regarding the BC CLEAN ENERGY ACT

May 19, 2010

**WHEREAS** Aboriginal Title and Aboriginal and Treaty Rights continue to exist in British Columbia;

**WHEREAS** the First Nations of British Columbia never surrendered jurisdiction over our lands and resources;

**WHEREAS** the 2005 New Relationship statement agrees to establish processes and institutions for shared decision-making about the land and resources and for revenue and benefit sharing. It agrees to a new government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights;

**WHEREAS** the BC government has recently held first reading of the Clean Energy Act. This Act represents the future direction for green energy production and exports. This act was constructed without First Nations involvement and there was no consultation prior to the introduction of the Act. We are told the Act was guided by a Green Energy Task Force however upon review of the legislation it is clear that the majority of the First Nations recommendations were ignored;

**WHEREAS** the Clean Energy Act exempts significant major hydro and transmission projects from oversight by the BC Utilities Commission; and

**WHEREAS** the provincial Crown has unilaterally implemented these sweeping changes ignoring the court-recognized legal obligations for meaningful consultation and accommodation in the development of the Clean Energy Act.

**We, the assembled Nations from across British Columbia speak with one voice to say:**

- 1. We call upon the BC government to amend the proposed Act and incorporate all recommendations that support First Nations involvement in clean energy opportunities.**
- 2. We call upon the Premier and Cabinet to immediately engage in a discussion with First Nations leaders to work out a solution to incorporate our recommendations.**
- 3. We call upon the BC government to delay the bill until adequate consultation and accommodation with First Nations occurs.**

Signed at Chief Joe Mathias Centre, Coast Salish Territory.

Joint Statement from Participating Nations  
Regarding the BC CLEAN ENERGY ACT

May 19, 2010

Name	Signature	First Nation
<u>Dan Smith</u>	<u>Dan Smith</u>	<u>FNS</u>
<u>Roland Willson</u>	<u>[Signature]</u>	<u>WMEF.</u>
<u>Wulf Adam</u>	<u>[Signature]</u>	<u>Laka Babine</u>
<u>Chief Bill Wilbur</u>	<u>Chief Bill Wilbur</u>	<u>Squamish</u>
<u>Chief Tim Murrel</u>	<u>[Signature]</u>	<u>Upper Nicola Band</u>
<u>CHIEF MEL BOBB</u>	<u>Mel Bobb</u>	<u>SPOZZUM F.N.</u>
<u>Chief Leonard Andrew</u>	<u>Leonard Andrew</u>	<u>Li/wat.</u>
<u>Chief Otis Jasper</u>	<u>[Signature]</u>	<u>Soowahlie</u>

Joint Statement from Participating Nations  
Regarding the BC CLEAN ENERGY ACT

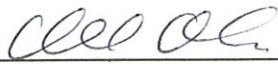
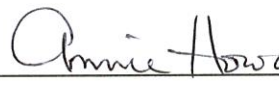


May 19, 2010

Name	Signature	First Nation
<u>Kukpi7 Christian</u>	<u>Kukpi7</u>	<u>Syilxat'in</u>
<u>Dave Porter</u>	<u>[Signature]</u>	<u>Kaska Dena</u>
<u>Fred Sam</u>	<u>[Signature]</u>	<u>Nak'adli</u>
<u>CHIEF ED WHITFORD</u>	<u>[Signature]</u>	<u>HALFWAY RIVER FN</u>
<u>CHIEF FRED ROBBINS</u>	<u>[Signature]</u>	<u>ESKOTENC.</u>
<u>Chief Norman Davis</u>	<u>[Signature]</u>	<u>Doig River</u>
<u>Chief A. Ralph Thervonge</u>	<u>[Signature]</u>	<u>N'Quatqua.</u>
<u>Fred Gladie</u>	<u>[Signature]</u>	<u>Sinixta' xw</u>



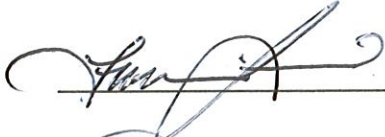






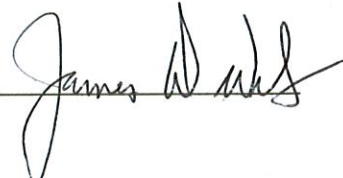
Joint Statement from Participating Nations  
Regarding the BC CLEAN ENERGY ACT

May 19, 2010

Name	Signature	First Nation
<u>Clifford Alia</u>	<u></u>	<u>Ts'Kw'ay/axw</u>
<u>TOM NELSON</u>	<u></u>	<u>Quatling</u>
<u>NELSON LEON</u>	<u></u>	<u>Adams Lake Indian Band</u>
<u>ANNIE HOWARD</u>	<u></u>	<u>Gitsegukla Band</u>
<u>JOE HALL</u>	<u></u>	<u>Tzeachten</u>
<u>Terrie Davidson</u>	<u></u>	<u>Boothroyd</u>
<u>Ruby Adams</u>	<u></u>	<u>Shackan</u>
<u>Peter Lambright</u>	<u></u>	<u>Gitwani/Isikw</u>

Joint Statement from Participating Nations  
Regarding the BC CLEAN ENERGY ACT

May 19, 2010

Name	Signature	First Nation
chief FRED SAMMON		siska Indian Band
Chief ANN C. HART		WILSON LAKE BAND
Chief Mike Grebe		Cann Lake Band
CHARLENE BELLER		ESKEDOMC FIRST NATION
GRAND CHIEF STEWART PHILLIP		Ponticton Indian Band Union of BC Indian Chiefs
Chief Bob Chamberlin		Kwikwetineuk Ah-Kwa-mish FN
Chief Ruby William		Netisumetien
James D Wilson		KDC



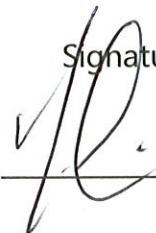
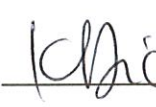



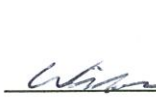

Joint Statement from Participating Nations  
Regarding the BC CLEAN ENERGY ACT

May 19, 2010

Name	Signature	First Nation
Chief Roy L. John	Roy L. John	Chkwathil (Hup'ik)
Chief Gordon Child	Gordon Child	Kwikwaka'nam
BEN JACKSON	Ben Jackson	Mowachah/muchalah
Norman George	Norman George	mowachah/muchalah
JONATHAN KRUGER	Jonathan Kruger	OKANAGAN NATION PENTICTON INDIAN BAND
Gerónimo Squinas	Gerónimo Squinas	Ltako Dene Nation
DAVID WALKER	David Walker	Cocks Ferry
CLIFFORD AILEO	Clifford Aileo	Nuu-chah-nulth Tribe Council

# Joint Statement from Participating Nations Regarding the BC CLEAN ENERGY ACT

May 19, 2010

Name	Signature	First Nation
Duane Gaston Anson		Teslin Tlingit Council
Kathi Dickie		Fort Nelson
Jackie Thomas		Saitk'uz Whut'en Dayi
Chief Kowamtec Michel		Noositch/Nis'gaanux
Chief Maureen Chapman		Skawahlook
Chief Willie Christie		Chehalis Indian Band
Chief Liliane Sgarbes		Lhees'ux Dene
_____	_____	_____

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-16**

## **RE: All Chiefs Assembly May 18-20, 2010 – Draft Action Plan**

**WHEREAS** at an All-Chiefs' Assembly held in August 2009, an All-Chiefs' Task Force was struck to map out a six-month action plan to: raise awareness of recognition of First Nations Title and Rights at provincial, national and international levels; and, to better organize ourselves internally as First Nations in British Columbia to work together on issues of common concern;

**WHEREAS** the All-Chiefs' Task Force Action Plan was supported by First Nations Chiefs and leaders in BC through resolution of the First Nations Summit (resolution #1109.13), BC Assembly of First Nations (resolution #12/2009), and Union of BC Indian Chiefs (resolution #2009.54);

**WHEREAS** at the All-Chiefs' Assembly held on May 18-20, 2010, the All-Chief's Task Force reported on their work to date in implementing their Action Plan, and presented recommendations for further efforts to November 2010;

**WHEREAS** at the All-Chiefs' Assembly held on May 18-20, 2010, the First Nations Chiefs and leaders in attendance developed a "phase two" draft "Action Plan" based on the recommendations of the All-Chiefs' Task Force;

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council affirms their support for the March 17, 2005 Leadership Accord and the First Nations Leadership Council;

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council supports the attached "ALL-CHIEFS ASSEMBLY (MAY 18-20, 2010) – DRAFT "ACTION PLAN"";

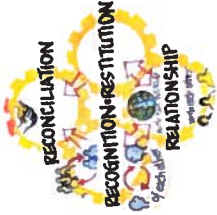
**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council calls upon the All-Chiefs' Task Force to continue its efforts to further refine and coordinate the implementation of the Action Plan until November 2010;

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council calls upon the Union BC Indian Chiefs Executive to work closely with the All-Chiefs' Task Force in the implementation of the Action Plan;

**THEREFORE BE IT FURTHER RESOLVED** that the Union of BC Indian Chiefs Council calls upon the Union of BC Indian Chiefs Executive to work with the All-Chiefs' Task Force in seeking new resources to implement the "ALL-CHIEFS ASSEMBLY (MAY 18-20, 2010) – DRAFT “ACTION PLAN””;

**THEREFORE BE IT FINALLY RESOLVED** that the Union of BC Indian Chiefs Council calls upon the All-Chiefs' Task Force to report regularly to First Nations leaders on progress in further developing and implementing the Action Plan, including at meetings of the BC Assembly of First Nations, First Nations Summit, and Union of BC Indian Chiefs.

**Moved:** Chief Wayne Christian, Splots'in First Nation  
**Seconded:** Chief Dalton Silver, Sumas First Nation  
**Disposition:** Carried  
**Date:** June 3, 2010



## ALL-CHIEFS ASSEMBLY (MAY 18-20, 2010) – DRAFT “ACTION PLAN”

*Note: This is not a final document but is simply a draft reflection of discussion and areas of agreement at the All-Chiefs’ Assembly. This will be further defined and developed into a workplan for presentation to First Nations Chiefs and leaders at upcoming BCAFN, FNS and UBCIC meetings and other opportunities that may arise.*

### **AREAS OF AGREEMENT:**

- Title is held at the local/Nation level
- We come together to develop a common purpose that is informed by the exercise/expression of our title at the local/Nation level
- Local/Nation activities inform provincial-level activities and provincial-level activities support local/Nation aspirations
- Work at the provincial level must be relevant and supportive of what occurs at the local/Nation level
- We come together recognizing there is strength in numbers (unity)
- Support for the three existing political organizations
- Support for the Leadership Accord
- Support for the First Nations Leadership Council (FNLC) with a clarification of mandate/roles and responsibilities

### **COMMON VISION (Question-Who is our common enemy?)**

- Settling of the land question
- Implementing/protecting rights and title
- Enhance the quality of life of our people

### **PRINCIPLES**

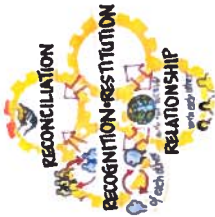
- Transparency
- Reciprocal Accountability
- Respect
- Inclusivity
- Communication
- Unity



## RECOMMENDATION #1 (CLARIFY ROLE OF FNLC)

With respect to recommendation #1 put forward by the All-Chiefs' Task Force ("The Chiefs should be invited to re-define the role and responsibilities of the Leadership Council and re-affirm their support for the Leadership Council"), the Chiefs have provided the following direction:

Issue / Question	Feedback	Draft for Discussion	Next Steps
What is the overarching purpose (mandate) of the LC?	<ul style="list-style-type: none"> <li>Lobby and advocate our aboriginal title and rights and to raise issues through the media and undertake public information and education</li> <li>Trailblazers – creating space and opportunity</li> <li>Creating jurisdictional space – advocacy and support for communities so we can implement our laws</li> <li>Take direction from Chiefs</li> <li>Coordination and collaboration role to support the Nations</li> <li>Advocacy body, not a service provider</li> <li>Advance Common Goals arising from ACA</li> <li>Advance court decisions</li> <li>Accountable to 203 Chiefs in BC</li> <li>Provide advice, advocacy and lobbying for 203 FN upon request</li> <li>Report out regularly to FNS/UBCIC/BCAFN meetings for transparency purposes and to enhance communication, understanding and trust</li> <li>Political alignment of activities/initiatives</li> <li>Create 'space'; policy, legislative and otherwise</li> <li>Undertake media/public awareness</li> <li>Monitor provincial/federal policy, regulations and legislation and understanding/sharing of impacts at the local level</li> <li>Uphold principles/intent of Leadership Accord</li> <li>Seek/advocate for human and monetary resources (Task Force Recommendation #3)</li> </ul>	<p>The responsibilities of the First Nations Leadership Council must always be driven by the Chiefs.</p> <p>Their role is to lobby and advocate for First Nations in BC; create space and opportunity for First Nations to engage directly with governments on their priority issues; information-sharing, communications and policy monitoring/analysis/support; and provide direct support to individual First Nations upon their request.</p>	<p>Further develop draft mandate statement / vision statement.</p> <p>(All-Chiefs' Task Force, FNLC and technical staff)</p>



<p>What should the LC do in terms of focus areas/priorities (roles &amp; responsibilities)?</p>	<ul style="list-style-type: none"> <li>• Protection of our rights and title must be fundamental</li> <li>• Quality of life</li> <li>• We must have respect for one another – those communities that want to enter into treaties, and those that don't, etc.</li> <li>• We have a bad habit of shooting things down instead of trying to fix them; think we have great strength in the FNLC – many problems that have arisen are due to individual incidents – we need to stick to the agenda of rights and title</li> <li>• Open doors for individual First Nations</li> <li>• Agree that there should be a single mandate for the FNLC</li> <li>• Need to determine role of Councils</li> <li>• Oversee emerging legislative and policy issues</li> <li>• Notify the Nations about government decisions that are going to impact them</li> <li>• Lobby for consultation dollars for communities to undertake that work</li> <li>• UNDRIP needs to be a focus</li> <li>• Look at all of the work the Chiefs have done in the past, including court decisions, and provide some of that information</li> <li>• Need to have strong technical organizations so that they can bring forward those policy issues – we underutilize our provincial organizations</li> <li>• Consider a portfolio system – streamline our efforts</li> <li>• Focus on those areas of common threats –</li> </ul>	<p>In the short-term, the FNLC must focus on protection and advocacy relating to Aboriginal title and rights and improvements in quality of life without engaging at the technical and service level.</p>	<p>Further develop priority areas for action.</p> <p>(All-Chiefs' Task Force, FNLC and technical staff)</p>
---	--	---	---

	<p>environment, etc. Analyze potential legislative and policy issues that can affect communities and work together on next steps (i.e. advocacy)</p> <ul style="list-style-type: none"> <li>Do not get involved in the technical or program level</li> <li>Inter-governmental relationships</li> <li>Comprehensive economic assessment of historical and current situation</li> </ul>			
How does the LC get ongoing direction and support from the Chiefs?	<ul style="list-style-type: none"> <li>There needs to be a process set up for the FNLC; currently its members report back to their respective organizations – if we are going to be supporting the FNLC, we need to have a proper venue for direction and accountability – that is currently coming from three different places, leading to confusion</li> <li>i.e. if FNLC accountable to all 203 FNs in BC then our business should be taking place in that environment</li> <li>Meetings are expensive; consider having the BCAFN host the assemblies</li> <li>Need to start passing laws as Chiefs instead of resolutions</li> <li>FNLC needs to become a secretariat – establish a vision for down the road</li> <li>Doesn't serve us to have two different debates on the same issues at the UBCIC and FNS meetings – we should have one single meeting and debate</li> <li>Meeting twice/year</li> <li>Quorum established ('high' threshold)</li> <li>Decision-making parameters (ratification) established</li> <li>Clearly understood, streamlined Resolution process (sent out in advance)</li> <li>Identification of Common Goals for LC</li> <li>Review work of the LC</li> </ul>	<p>The FNLC will host All-Chiefs' Assemblies in order to: report on FNLC activities; seek direction from the Chiefs; encourage streamlined, clear and consistent decision-making and mandates; and build trust amongst First Nations.</p> <p>Further discussions are required with respect to options for long-term structures and processes (i.e. passing legislation, etc.).</p> <p>*Note: Keeping meeting costs in mind, it is to be determined whether All-Chiefs' Assemblies will be in addition to regularly-scheduled BCAFN, FNS and UBCIC meetings, or will be some sort of amalgamation of these existing fora.</p>	<p>Assess opportunities and scheduling of further All-Chiefs' Assemblies.</p> <p>Further develop long-term options for consideration.</p> <p>(All-Chiefs' Task Force, FNLC and technical staff)</p>	
How is the LC	<ul style="list-style-type: none"> <li>Need mechanisms for transparency so all First</li> </ul>	FNLC to report at All-Chiefs'	Develop standards	



accountable to Chiefs in BC?	<p>Nations can understand what is happening</p> <ul style="list-style-type: none"> <li>• Need to be accountable as the FNLC to Chiefs</li> <li>• Accountability goes two ways – Chiefs need to be accountable as well (political discipline)</li> <li>• Create a standard for accountability – what should be included in a report? From who? Calendar appointments?</li> <li>• Communication protocol</li> <li>• Quarterly and annual reports</li> </ul>	Assemblies and through other mechanisms in accordance with standards established by the Chiefs.	for accountability (including mechanisms for communication – newsletter, website, etc.)  (All-Chiefs' Task Force, FNLC and technical staff)
------------------------------	---	---	---

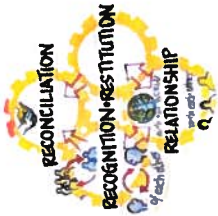
#### ALL-CHIEFS' TASK FORCE ACTION PLAN (note: to be further developed and circulated)

This summarizes the recommendations developed by the All-Chiefs' Task Force and the discussion that took place during the All-Chiefs' Assembly (with the exception of recommendation #1 addressed in the above section).

Recommendation	Considerations for implementation	Next Steps
Analysis needs to be carried out to identify opportunities for more integration among the various Councils; some of the Councils can be supporting one another more effectively. We need sectoral-strategic planning: set out financing/resource requirements for the short and long term.	<ul style="list-style-type: none"> <li>• Staff of each organization provide their feedback in draft for the floor's consideration</li> <li>• United doesn't mean that we all have to agree on everything. The organizations should be able to disagree and continue to exist. We need to get beyond politicking.</li> <li>• The Chiefs could instruct the Chairs of the various Councils to meet and work together.</li> <li>• Where it makes sense, seek greater administrative and technical efficiencies and effectiveness amongst and between the 3 organizations</li> <li>• Minimize duplication of effort and maximizing of resources</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"
We need to negotiate new funding resources	<ul style="list-style-type: none"> <li>• Need to identify who will carry out this task?</li> </ul>	Develop a workplan

from government, and ensure that the limited, existing resources are not stretched to cover both existing and new activities.	<ul style="list-style-type: none"> <li>It was suggested that this falls within the responsibility of the executive directors of the three organizations.</li> </ul>	for this recommendation, based on the "considerations for implementation"
An analysis of program vs. political resolutions should be carried out. Consider whether or not resolutions should be categorized and separated.	<ul style="list-style-type: none"> <li>Should be tasked to the staff of the three organizations.</li> <li>The agendas and work of the three organizations are becoming too program oriented and need to move their focus to higher level, Aboriginal title and rights issues.</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"
The use of available technology must be increased. We need to create ways to effectively share information (i.e., First Nations portal, a secure website).	<ul style="list-style-type: none"> <li>Should be tasked to the Executive Directors of the three organizations.</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"
The three organizations should consider sharing meetings from time to time, to discuss issues of common concern and overlap, and focus on high-level political issues (as opposed to program-specific or community-specific issues. These could occur perhaps twice a year during regular quarterly meetings (i.e., every other meeting could have a shared agenda).	<ul style="list-style-type: none"> <li>Should be tasked to the Leadership Council (this should be moved up to be addressed as issue number two).</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"
The Chiefs should be responsible for setting the agenda for planning and dialog forums.	<ul style="list-style-type: none"> <li>The staff should be asked for their input – they are the people doing the work and their views should be sought.</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"
Decision making needs to be looked at in these forums and implementation framework.	<ul style="list-style-type: none"> <li>Needs to be addressed first, as a priority.</li> <li>There is no lack of support for the Leadership Accord, the real</li> </ul>	Develop a workplan for this





	issue is the challenge of redefining its role and mandate.	recommendation, based on the "considerations for implementation"
Adopt the "phase two" communications and media plan prepared by the Coordinated Action Working Group	<ul style="list-style-type: none"> <li>• Resourcing</li> <li>• Implementation – who to implement?</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"
Adopt the political-legal strategy prepared by the Political-Legal Working Group	<ul style="list-style-type: none"> <li>• Resourcing</li> <li>• Implementation – who to implement?</li> </ul>	Develop a workplan for this recommendation, based on the "considerations for implementation"

**TIMELINE**

- Develop and circulate proceedings report to all communities (May 2010)
- Develop this document into a workplan and draft mandate statements and present at upcoming FNS and UBCIC meetings (June 2010) and determine issues for immediate implementation
- Send workplan to communities (summer 2010)
- Finalize FNLC mandate and priorities (fall 2010)

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-17**

## **RE: Support for Nuu-chah-nulth Tribal Council Legal Battle to Establish First Nation Rights to an Economic Fishery**

**WHEREAS** since time immemorial, the Nuu-chah-nulth have built their societies, economies and culture around fishing and have been stewards of their ocean resources;

**WHEREAS** on November 3<sup>rd</sup>, 2009, Nuu-chah-nulth Nations won a major legal victory in the British Columbia Supreme Court, in the fight to have a constitutionally protected Aboriginal Right to fish for commercial purposes. In *Ahousat Indian Band and Nation v. Canada (Attorney General)* Madam Justice Garson ruled that the Nuu-chah-nulth peoples have an Aboriginal Right to fish for any species of fish in their territories, and to sell fish. Further, Madam Justice Garson ruled that the *Fisheries Act* and regulations made pursuant to the *Act* infringe the Aboriginal Right of the Nuu-chah-nulth peoples to fish and to sell fish;

**WHEREAS** after more than a decade of legal preparations, *Ahousat Indian Band and Nation v. Canada* was brought to the courts by the Ehattesaht, Mowachaht/Muchalaht, Hesquiaht, Ahousat and Tla-o-quiaht First Nations;

**WHEREAS** the B.C. Supreme Court directed the parties to consult and negotiate the manner in which the plaintiffs' Aboriginal Rights to fish and sell fish can be accommodated and exercised. The Court also directed that if consultations and negotiations are not successful after two years, then Canada has leave to apply at a subsequent trial to tender further evidence on the issue of justification;

**WHEREAS** Canada has chosen to appeal the November 3<sup>rd</sup>, 2009 decision of the British Columbia Supreme Court that established economic rights-based fisheries for these five Nuu-chah-nulth Nations;

**WHEREAS** these five Nuu-chah-nulth Nations need the financial and moral support of all First Nations in British Columbia and Canada in order to secure victory through the B.C. Court of Appeal;

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council fully supports the Nuuchah-nulth Tribal Council in their ongoing legal battle with Department of Fisheries and Oceans to firmly establish First Nation rights to an economic fishery;

**THEREFORE BE IT FINALLY RESOLVED** that the Union of BC Indian Chiefs Council directs the UBCIC Executive and staff to work with the First Nations Summit, BC Assembly of First Nations and like-minded organizations, to work with and support the Nuuchah-nulth in their ongoing legal battle.

**Moved:** Chief Nelson Leon, Adams Lake Indian Band

**Seconded:** Chief Wayne Christian, Splat's'in First Nation

**Disposition:** Carried

**Date:** June 3, 2010

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-18**

## **RE: UBCIC Constitution Committee Continuation of Work and Date for Special Assembly**

**WHEREAS** at the Union of BC Indian Chiefs Annual General Assembly in September 2009, the Constitution Committee was struck through UBCIC Resolution 2009-45 to “review the UBCIC Constitution and Bylaws” to develop:

- A Renewal Plan that considers: Priority Setting, Strategic Planning and Budgeting; Conduct of Union of BC Indian Chiefs meetings; Resolutions Management Process; and the structure of the Union of BC Indian Chiefs’ Executive; and
- The Renewal Plan will provide milestones ensuring the UBCIC leadership are actively engaged in this renewal process and clear direction to ensure implementation of duly accepted recommendations;

**WHEREAS** at the UBCIC Chiefs Council in March 2010, UBCIC Resolution 2010-04 directed the Committee to continue its review work and to ensure the incorporation of feedback by the Grand Chiefs that were in attendance at the founding of UBCIC in 1969, the current Executive Members and full and active members of the UBCIC;

**WHEREAS** the Constitution Committee has provided an update to the UBCIC Chiefs Council, and sought feedback and input from the Chiefs Council and the current Executive Members, and is currently in the process of seeking input from the Grand Chiefs as well as full and active members of the UBCIC;

**THEREFORE BE IT RESOLVED** the UBCIC Chiefs Council supports the continuation of the Constitution Committee’s work until September 14<sup>th</sup>, 2010;

**THEREFORE BE IT RESOLVED** the Union of BC Indian Chiefs Council recommends that the draft mandate statement includes language around the implementation and exercise of our Aboriginal Title and Rights;

**THEREFORE BE IT RESOLVED** the Union of BC Indian Chiefs Council recommends that the Constitution Committee consider in their work ways to address the working relationship of the UBCIC with the First Nations Summit and the BC Assembly of First Nations to ensure coordination of efforts where necessary or beneficial;

**THEREFORE BE IT FURTHER RESOLVED** the Union of BC Indian Chiefs Council directs the Constitution Committee to ensure that any draft amendments/extraordinary resolutions/policy changes be provided one month in advance of the September 14<sup>th</sup>, 2010 Special Assembly as per Section 15 of the UBCIC Constitution and Bylaws for the consideration of the Chiefs Council;

**THEREFORE BE IT FINALLY RESOLVED** that the Union of BC Indian Chiefs Council sets Tuesday, September 14<sup>th</sup>, 2010, the day before the UBCIC Annual General Assembly, as the day for a Special Assembly to have the Constitution Committee present their completed work of draft amendments/resolutions/policy changes for the consideration of the UBCIC Chiefs in Special Assembly.

**Moved:** Chief Fred Sampson, Siska Indian Band  
**Seconded:** Chief Ron John, Chawathil First Nation  
**Disposition:** Carried  
**Date:** June 3, 2010



# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-19**

## **RE: First Nations Child and Family Wellness Council Established Permanently**

**WHEREAS** during the second Indigenous Child at the Centre forum in July 2008, a “One Heart, One Mind: Statement of Solidarity and Cooperation” was signed by First Nations leaders, and it supported the establishment of the Interim First Nations Child and Family Wellness Council with the mandate to:

- i. Amend the Indigenous Child at the Centre Action Plan to reflect input from community, frontline workers and leadership;
- ii. Develop a workplan to advance and implement the Indigenous Child at the Centre Action Plan; and
- iii. Develop the Terms of Reference for the First Nations Child and Family Wellness Council;

**WHEREAS** by resolution 2008-29, the Union of BC Indian Chiefs endorsed the “Walking Together to Keep Indigenous Children at the Centre” Declaration of Commitment, and in July 2008 the Union of BC Indian Chiefs signed the “One Heart, One Mind” Statement of Solidarity and Cooperation”; by Resolution 2009-06, the Union of BC Indian Chiefs Council endorsed the mandate and terms of reference for the Interim First Nations Child and Family Wellness Council; and by Resolution 2009-38, the Union of BC Indian Chiefs-in-Assembly endorsed the Indigenous Child at the Centre Action Plan;

**WHEREAS** on March 2-3, 2010, the Interim First Nations Child and Family Wellness Council hosted the third Indigenous Child at the Centre Forum. At that Forum, delegates reviewed the work of the Interim First Nations Child and Family Wellness Council and made the following recommendations:

- i. To lift the word ‘interim’ from the ‘Interim First Nations Child and Family Wellness Council’;
- ii. To continue the work of the First Nations Child and Family Wellness Council as a Nation-driven process; and,
- iii. To establish First Nations Child and Family Wellness Council working groups on issues related to governance, funding, and indigenizing practice standards;

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council supports the recommendations arising from the third Indigenous Child at the Centre Forum to:

- a. Lift the word 'interim' from the 'Interim First Nations Child and Family Wellness Council';
- b. Continue the work of the First Nations Child and Family Wellness Council as a Nation-driven process; and,
- c. Establish First Nations Child and Family Wellness Council working groups on issues related to governance, funding, and indigenizing practice standards.

**Moved:** Chief Tim Manuel, Upper Nicola Nation  
**Seconded:** Chief Nelson Leon, Adams Lake Indian Band  
**Disposition:** Carried  
**Date:** June 3, 2010

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-20**

## **RE: Support of Aboriginal Community Futures Ongoing Funding**

**WHEREAS** Community Futures (CFs) provide business loans, training, mentoring and assistance, community economic development assistance and support to those areas of Canada that are experiencing a higher than the national average unemployment rate, single industry dependence, economic downturns, lack infrastructure to attract business as well as low annual income levels;

**WHEREAS** The Federal Government supports 273 CFs throughout Canada with 34 of those operating in BC;

**WHEREAS** of the only 25 CFs in Canada that are First Nations, three are in BC;

**WHEREAS** the Federal government has only extended the existing CF operating contracts to the end of March 2011 with no certainty of the future of CF's beyond that period; and

**WHEREAS** the First Nations CF's in BC have made a significant positive impact in the areas they serve.

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs supports continuing funding to the First Nations Community Futures at the present level or higher with multi-year contracts;

**THEREFORE BE IT FURTHER RESOLVED** that the Federal Government support the development of at least two (2) new First Nations Community Futures in BC, one in southern BC and one in northern BC, as the existing non-First Nations Community Futures do not serve our communities;

**THEREFORE BE IT FINALLY RESOLVED** that this be communicated to Minister for Western Diversification Lynne Yelich, Minister of Indian and Northern Affairs Chuck Strahl and to the BC Legislature.

**Moved:** Chief Fabian Alexis, Okanagan Indian Band  
**Seconded:** Chief Judy Wilson, Neskonalith First Nation  
**Disposition:** Carried  
**Date:** June 3, 2010

# OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE  
209 - 345 Yellowhead Highway  
Kamloops, B.C. V2H 1H1  
Tel: 250-828-9746  
Fax: 250-828-0319



VANCOUVER OFFICE  
5th Floor, 342 Water Street  
Vancouver, B.C. V6B 1B6  
Tel: 604-684-0231  
Fax: 604-684-5726  
1-800-793-9701  
Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)  
Web: [www.ubcic.bc.ca](http://www.ubcic.bc.ca)

UNION OF B.C. INDIAN CHIEFS  
CHIEFS COUNCIL  
JUNE 2<sup>ND</sup> TO JUNE 3<sup>RD</sup>, 2010  
VANCOUVER, B.C.

**Resolution no. 2010-21**

## **RE: Support for Legal Challenge to Implementation of HST**

**WHEREAS** Indigenous Peoples in their respective territories confirm and defend their Aboriginal Title, Rights, ownership and jurisdiction over the lands and resources;

**WHEREAS** the Union of BC Indian Chiefs is mandated to protect, defend and maintain Indigenous self-determination and Indigenous land rights;

**WHEREAS** as Indigenous Peoples exercising our sovereignty, First Nations in B.C. have the right to tax and B.C. infringed this right to tax implicit to sovereign governments by excluding First Nations from the unilateral decision to impose the Harmonized Sales Tax (HST);

**WHEREAS** the HST stands to greatly increase the poverty of First Nations living in B.C. Our collective poverty is of unique relevance to the imposition of HST, as it is the result of historic, institutionalized injustice and seizure of our land and ability to exercise our culture and governance;

**WHEREAS** by Resolution 2009-41, the UBCIC Chiefs in Assembly supported work regarding the Harmonized Sales Tax (HST) and related tax matters, including:

1. Directing the UBCIC Executive to raise concerns with the provincial and federal governments calling for meaningful consultation and accommodation around the implementation of HST and the Comprehensive Integrated Tax Co-ordination Agreement (CITCA);
2. Striking a representative Chiefs Committee that seeks resources and produces a report on HST and BC First Nations, and a paper analyzing other adverse tax policies affecting BC First Nations;

**WHEREAS** by Resolution 2009-51, the UBCIC Chiefs in Council nominated and appointed Chief Don Moses, Chief Keith Matthew, and Chief Mike LeBourdais to the HST Committee;

**WHEREAS** in September 2009, the HST Committee began efforts to engage the provincial and federal Ministries of Finance, and commissioned a report on HST and BC First Nations. The HST Committee made a presentation to the Senate Standing Committee on Finance during hearings on Bill C-62, An Act to Amend the Excise Tax, and has done several press releases speaking out against the imposition of HST;

**WHEREAS** the Union of BC Indian Chiefs continues to seek a meeting with the provincial and federal finance ministers to advocate for consultation and accommodation with BC First Nations around implementation of HST;

**WHEREAS** the Fight HST campaign in BC has been dedicated to repealing the HST tax throughout BC, and;

**WHEREAS** as part of the Fight HST campaign, Bill Vander Zalm launched a Citizen's Initiative petition against the HST on April 6, 2010, and has successfully met the threshold of collecting the signatures of 10 per cent of registered voters in each of the province's 85 ridings, and these signatures will be verified by Elections BC after July 5;

**WHEREAS** the Fight HST Campaign will ultimately consider a legal challenge to the HST if necessary, on the basis that the HST contravenes the Constitution Act 1867 and the Excise Tax Act;

**WHEREAS** an HST Panel, consisting of Chief Keith Matthew, Cliff Atleo, Bill Vander Zalm, Chris Delaney and Merle Alexander, presented to and answered questions at the Chiefs Council meeting of June 2010.

**THEREFORE BE IT RESOLVED** that the Union of BC Indian Chiefs Council directs the HST Committee and UBCIC Executive to continue the HST work as set out in Resolution 2009-41;

**THEREFORE BE IT FURTHER RESOLVED** that the Union of BC Indian Chiefs Council directs the Union of BC Indian Chiefs HST Committee and Union of BC Indian Chiefs Executive to work with the Fight HST Campaign and other like-minded organizations to continue publicizing impacts of the HST on First Nations in B.C.;

**THEREFORE BE IT FINALLY RESOLVED** that the Union of BC Indian Chiefs Council supports the Fight HST campaign in exploring legal options, including a constitutional challenge to the implementation of the HST.

**Moved:** Chief Wayne Christian, Splat's in First Nation  
**Seconded:** Chief Fred Sampson, Siska Indian Band  
**Disposition:** Carried  
**Date:** June 3, 2010