

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

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Resolutions from UBCIC Chiefs Council, February 23rd-24th, 2012 **Passed unless Noted as “Tabled”**

- 2012-01 Support for Native Education College Receiving Public Post-Secondary Designation
- 2012-02 Support for a BC First Nations Child and Family Advocate Office
- 2012-03 Support for Gwa’Sala-Nakwaxda’xw Nation’s Inherent Jurisdiction over its Children
- 2012-04 Support for First Nations Leadership Council Entering into a Declaration & Protocol of Recognition, Support, Cooperation and Coordination with the First Nations Child and Family Wellness Council
- 2012-05 [TABLED] BC First Nations Mining Policy
- 2012-06 Support for First Nations Leadership Council Entering into a Declaration & Protocol of Recognition, Support, Cooperation and Coordination with the First Nations Energy and Mining Council
- 2012-07 Support for the Fair, Just and Timely Resolution of Nadleh Whut’en First Nation’s Specific Claims
- 2012-08 [TABLED] Endorsement of UBCIC Citizenship Paper
- 2012-09 Granting of Grand-Chieftainship to Ron Derrickson
- 2012-10 Support for BC Hosting National Truth and Reconciliation Gathering, September 2013
- 2012-11 Support for Aboriginal Tourism Association of BC 5 Year Plan “The Next Phase: 2012-2017”
- 2012-12 First Nations Information Management Systems
- 2012-13 Support for First Nations Leadership Council Entering into a Declaration & Protocol of Recognition, Support, Cooperation and Coordination with the First Nations Technology Council
- 2012-14 Support for First Nations Leadership Council Renewing its Declaration & Protocol of Recognition, Support, Cooperation and Coordination with the First Nations Forestry Council
- 2012-15 Appointment to UBCIC Credentials Committee
- 2012-16 First Peoples Heritage, Language and Culture Council Funding Cuts
- 2012-17 Mandate to Advance Comprehensive Claims Policy Reform

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-01

RE: Support for Native Education College Public Post-Secondary Designation

WHEREAS the Native Education College (NEC) has been providing culturally appropriate Adult Basic Education and Post-Secondary programming to Aboriginal adult learners for more than 40 years, with the last 27 years occurring at our Longhouse campus located at 285 East 5th Ave in Vancouver, British Columbia;

WHEREAS the NEC is not a publicly designated post-secondary institution, and as such is neither able to access the student supports and funding that are available to public post-secondary institutions, nor to have a seat at the decision-making tables that deal with everything from student funding and supports to course and program articulation and transferability;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* states:

Article 14:

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language;

WHEREAS within the past 20 years the NEC has twice been denied public post-secondary designation by the Province, and was, in 2007, at the point of closing its doors due to the ongoing stagnation of provincial investment into the capacity and infrastructure of the College;

WHEREAS with public designation and the investment needed to realize the recently created five-year strategic plan, the NEC will be able to ensure its ongoing sustainability and viability as an educational destination of choice for adult Aboriginal learners from First Nations throughout the province and across the country;

WHEREAS the continued absence of this public post-secondary designation and the concomitant provincial investment will jeopardize the NEC's ability to develop, articulate and deliver culturally relevant programs that will be able to satisfy the needs of First Nations communities and learners, and public post-secondary institutions that partner with NEC.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports the designation of the Native Education College (NEC) as a Public Post-Secondary Institution;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council recommends that the Provincial government provide the NEC with the one-time and ongoing funding necessary to implement the recently completed five-year strategic plan.

Moved: Chief Maureen Chapman, Skawahlook First Nation
Seconded: Chief Janet Webster, Lytton First Nation
Disposition: Carried
Date: February 23, 2012

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CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-02

RE: Support for a B.C. First Nations Child and Family Advocate Office

WHEREAS removing Indigenous children from their homes and placing them in foster care frequently leads to devastating outcomes – including difficulty in school, lack of attachment, drug and alcohol abuse, and suicide;

WHEREAS First Nations communities have insufficient resources, staff and training opportunities to be able to fully advocate for families and children facing MCFD investigations, removals, adoptions, etc.;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out:

Article 8:

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for: (a) any action which has the aim or effect of depriving them of their integrity as distinct people, or of their cultural values or ethnic identities.

Article 18: Indigenous peoples have the right to participate in decision-making matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as maintain and develop their own indigenous decision-making institutions.

Article 21:

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, *inter alia*, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions;

WHEREAS a lack of advocacy and/or knowledge of the child welfare system creates scenarios where children are unnecessarily removed from their homes and communities without proper regard for the traumatic impacts;

WHEREAS children, parents and staff need a permanent advocate(s) speaking on their behalf that would be available to assist all of our people;

WHEREAS this permanent advocate(s) would need a direct relationship with highly placed MCFD officials who can make necessary changes or direct regional offices, and front-line staff to carry out their work in a more appropriate manner. The advocate(s) would need access to MCFD regional offices and information that would assist families in understanding the process and arriving at cooperative solutions that lead to better outcomes for children and families;

WHEREAS the Representative for Children and Youth's Office (RCY), while providing a crucial service for our communities, is not a sufficient apparatus for this work as it is generally engaged after an incident has occurred to investigate, report and recommend changes. It has no authority to advocate for families outside of its government-given mandate;

WHEREAS the MCFD's Revised Service Plan (2011/12—2013/13) includes the first priority of supporting First Nations, Métis and other Aboriginal people to develop and deliver service approaches based on their culture and tradition.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports the establishment of a British Columbia First Nations Child and Family Advocate(s) Office, one per region (Coast/Fraser, Interior, North, Vancouver Island);

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the BC Assembly of First Nations and the First Nations Summit as the First Nations Leadership Council (FNLC), to call on relevant ministries within Government to fund the proposed British Columbia First Nations Child and Family Advocate(s) Office;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the FNLC, to involve the First Nations Child and Family Wellness Council and the Directors Forum in planning discussions for creation of the proposed office as appropriate.

Moved: Chief Maureen Chapman, Skawahlook First Nation
Seconded: Clint Tuttle, Sumas First Nation (Proxy)
Disposition: Carried
Abstention: Tony Underwood, Tsawout First Nation (Proxy)
Date: February 23, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-03

RE: Support for Gwa'Sala-Nakwaxda'xw Nation's Inherent Jurisdiction over its Children

WHEREAS Gwa'Sala-Nakwaxda'xw Nation is one of many First Nations facing an ongoing crisis regarding the number of children in care;

WHEREAS Gwa'Sala-Nakwaxda'xw Nation believes it must re-assert, re-affirm, and re-implement its inherent jurisdiction over child welfare as the only workable solution to addressing the crisis and reducing the number of children in care;

WHEREAS Gwa'Sala-Nakwaxda'xw Nation views child welfare as a shared responsibility predicated on collaboration, partnership and trust;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) recognizes in particular "the rights of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child";

WHEREAS *United Nations Declaration on the Rights of Indigenous Peoples* states:

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 8:

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for: (a) Any action which has the aim or effect of depriving them of their integrity as distinct people, or of their cultural values or ethnic identities.

Article 18: Indigenous peoples have the right to participate in decision-making matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as maintain and develop their own indigenous decision-making institutions.

Article 21:

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, *inter alia*, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24 (2): Indigenous peoples 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;

WHEREAS the B.C. Ministry of Children and Family Development's (MCFD) Revised Service Plan (2011/12—2013/13) includes the first priority of supporting First Nations, Métis and other Aboriginal people to develop and deliver service approaches based on their culture and tradition;

WHEREAS the MCFD's provision of service approaches based on First Nations culture and tradition has fallen below *United Nations Declaration on the Rights of Indigenous Peoples* minimum standards for the survival, dignity and well-being of the children and families of Gwa'Sala-Nakwaxda'xw Nation;

WHEREAS UBCIC Chiefs Council Resolutions: 2001-08; 2003-14; 2003-19; 2004-9; 2006-13; 2007-60; 2008-29; and 2009-10 provide support for our Nations to exercise their inherent jurisdiction over their children;

WHEREAS Gwa'Sala-Nakwaxda'xw Nation seeks the support of the UBCIC Chiefs Council to facilitate a process to re-assert, re-affirm, and re-implement their inherent jurisdiction over child welfare that will create an alternative service model, based on Gwa'Sala-Nakwaxda'xw culture and tradition.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council re-affirms its commitment to reduce the number of Indigenous children in care and support for Indigenous Peoples to exercise their inherent jurisdiction over their children;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council supports the Gwa'Sala-Nakwaxda'xw Nation who wish to facilitate a process to re-assert, re-affirm, and re-implement their inherent jurisdiction over child welfare that will create an alternative service model, based on Gwa'Sala-Nakwaxda'xw culture and tradition;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to communicate to the Ministry of Children and Family Development that its provision of service approaches based on First Nations culture and tradition must meet *United Nations Declaration on the Rights of Indigenous Peoples* minimum standards for the survival, dignity and well-being of the children and families of Gwa'Sala-Nakwaxda'xw Nation.

Moved: Kukpi7 Wayne Christian, Splats'in
Seconded: Chief Janet Webster, Lytton First Nation
Disposition: Carried
Date: February 23, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-04

RE: Support for First Nations Leadership Council Entering into a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Child and Family Wellness Council

WHEREAS the First Nations Leadership Council wishes to unite and cooperate with First Nations and First Nations/Aboriginal organizations with mandates in BC to coordinate political and technical strengths toward the objectives of unity and advancing First Nations' inherent, inalienable right of self-determination, Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of Indigenous Peoples;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out in Article 5 that "Indigenous peoples have the right to maintain and strengthen their 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";

WHEREAS the First Nations Leadership Council developed a draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*, to be entered into by the First Nations Leadership Council and First Nation/Aboriginal organizations with mandates in British Columbia to achieve this objective. This draft template was endorsed by the First Nations Summit Resolution #0906.08, UBCIC Resolution no. 2007-22; and the BC Assembly of First Nations Resolution 10/2007;

WHEREAS the First Nations Leadership Council updated the draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* to reflect its 2010 Terms of Reference and Accountability Framework, and to allow for the optional inclusion of a Procedural Appendix;

WHEREAS the First Nations Leadership Council and the First Nations Child and Family Wellness Council wish to enter into a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the attached *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* agreements being entered into by the UBCIC Executive on behalf of the UBCIC Chiefs Council and as part of the First Nations Leadership Council, with the First Nations Child and Family Wellness Council;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with the other members of the First Nations Leadership Council to execute a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Child and Family Wellness Council;

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with other members of the First Nations Leadership Council and the First Nations Child and Family Wellness Council to provide regular reports to the UBCIC Chiefs Council.

Moved: Chief Maureen Chapman, Skawahlook First Nation
Seconded: Chief James Hobart, Spuzzum First Nation
Disposition: Carried
Date: February 23, 2012

**DECLARATION & PROTOCOL of
RECOGNITION, SUPPORT, COOPERATION
AND COORDINATION**

Between

**THE FIRST NATIONS LEADERSHIP COUNCIL
(B.C. ASSEMBLY OF FIRST NATIONS, FIRST NATIONS SUMMIT, and THE UNION OF B.C. INDIAN
CHIEFS)**

And

THE FIRST NATIONS CHILD AND FAMILY WELLNESS COUNCIL

DECLARATION

As the original and Indigenous Peoples to this great land, we have the inalienable right of self-determination. By virtue of this right, we are free to determine our political status and free to pursue our economic, social, health and well-being, and cultural development.

We recognize and affirm that we continue to exist and live as the original and Indigenous Peoples and that this is a fundamental human right.

We recognize and affirm the continued existence of the Indigenous and Aboriginal Title and Rights of our respective First Nations and their people to their traditional territories, lands and resources, and that we continue to exercise our collective and inherent authorities and jurisdictions over and in the territories, lands and resources which we have traditionally occupied, used or otherwise acquired.

We recognize and affirm that, as the original and Indigenous Peoples, we have the right to redress by means of restitution or, where this is not possible, of just, fair and equitable compensation for the territories, lands and resources which we have traditionally owned or otherwise occupied or used and which have been confiscated, taken, occupied, used or damaged without our free, prior and informed consent.

We have been involved in and support:

- the development and adoption of the United Nations Declaration on the Rights of Indigenous Peoples;
- the development of the Declaration of the II Summit of the Indigenous Peoples of the Americas;
- the New Relationship with the Province of British Columbia; and
- the Transformative Change Accord with the Governments of British Columbia and Canada.

Therefore we agree to coordinate our political and technical strengths and efforts toward the objectives of:

- advancing the full and proper implementation, recognition, reconciliation and accommodation of Aboriginal Title and Rights, and Treaty Rights;

- improving the lives and socio-economic circumstances of First Nations people and communities in British Columbia;
- ending the denial by the Crown, as represented by the Governments of British Columbia and Canada, of the existence of our Peoples and our Aboriginal Title and Rights to our traditional territories, lands and resources.

PROTOCOL

Recognizing:

- We agree that First Nations and Aboriginal organizations with mandates in BC must coordinate their political and technical strengths toward the objectives of the above Declaration and advancing Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of First Nations people and communities in British Columbia. We wish to unite and cooperate in their efforts to advance these objectives.
- The First Nations Leadership Council has undertaken an ongoing formal political process to work cooperatively together to politically advance and support the interests and initiatives of all First Nations, First Nations people and First Nations communities in British Columbia, as set out in the Leadership Accord signed on March 17, 2005, and further set out in the First Nations Leadership Council Terms of Reference and Accountability Framework, endorsed at the All-Chiefs Assembly in November/December, 2010, and endorsed through resolutions passed by the respective assemblies of the First Nations Summit, the Union of B.C. Indian Chiefs, and the B.C. Assembly of First Nations.
- The First Nations Child and Family Wellness Council has a mandate to lead the finalization and implementation of the Indigenous Child at the Centre Action Plan – a 46-point plan to support all First Nations in British Columbia to achieve their objectives for child and family wellness. The Action Plan sets out a collective British Columbia First Nations approach to improving the well-being of First Nations children and was adopted by resolution at the B.C. Assembly of First Nations, First Nations Summit, and Union of B.C. Indian Chiefs. The Action Plan includes 6 goals:
 1. To create a safe, nurturing environment for the health and well-being of First Nations children, youth, families and communities;
 2. To enable First Nations governance and Nation-building;
 3. To participate in the ongoing development of culturally - appropriate policy and legislation;
 4. To acquire appropriate financial resources and build human resource capacity;
 5. To build effective relationships and partnerships amongst First Nations, and with governments, First Nations organizations, and others;
 6. To enable information, data development and sharing.
- The First Nations Leadership Council and the provincial and federal governments have committed to work together to improve the socio-economic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal title and rights with the assertion of Crown sovereignty. To this end, the First Nations Leadership Council has:
 - developed, with the Province of British Columbia, a vision for a new government-to-government relationship between First Nations Governments and the British Columbia Government based on respect, recognition and accommodation of Aboriginal title and rights (the “New Relationship”); and

- signed a Transformative Change Accord with the Province of British Columbia and the Government of Canada; and
 - been involved in, and support, the United Nations Declaration on the Rights of Indigenous Peoples, which was endorsed by Canada on November 12, 2010.
- Cooperative efforts to advance the New Relationship and the Transformative Change Accord are ongoing.
 - Each of us has an important role to play in advancing these and other initiatives to improve the lives of First Nations people in British Columbia.

We agree as follows:

Purpose

We recognize and affirm that First Nations Peoples continue to exist in British Columbia and Canada and have traditional ownership over and in their territories, lands and resources and continue to exercise their authority in and over their territories, lands and resources.

We recognize and affirm the Aboriginal Title and Rights, and any Treaty Rights of First Nations in British Columbia, including their autonomy, jurisdiction and authority with respect to their traditional territories and, within this context, the purposes of this Protocol are to:

- a. affirm our intentions to work together in a cooperative manner, and to provide support for one another's efforts, advance the recognition, respect and accommodation of Aboriginal Title and Rights, and Treaty Rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts;
- b. establish a mechanism by which we can:
 - i. identify areas where we can work together within our respective mandates, to advance the New Relationship, the Transformative Change Accord, and any other initiatives or processes aimed at improving the conditions of First Nations communities; and
 - ii. identify how we will communicate, exchange information, effectively organize activities, and streamline their efforts;
- c. any other purpose we identify and agree to.

This Protocol is only for communications and political advocacy for the protection of Aboriginal Title and Rights and is not a process to support the funding requirements of any First Nation organizations.

Principles

We agree that the implementation of this Protocol will be guided by principles set out in the Accountability Framework Appendix to the First Nations Leadership Council Terms of Reference, in addition to the following principles:

- a. respect for and recognition of the Aboriginal Title and Rights, and Treaty Rights, of First Nations;
- b. respect for and recognition that Indigenous Peoples have the right of self-determination and, by virtue of

that right, they freely determine their political status and freely pursue their economic, social, health and well-being, and cultural development;

- c. respect and recognition of and respect for our respective mandates;
- d. respect for existing agreements outside of this Protocol we may have in place; and,
- e. recognition that cooperation requires an effective communication process between us.

We recognize that other First Nations and Aboriginal organizations have mandates and a role to play with respect to advancing the objectives of this Protocol and that our coordination of efforts and cooperation with each other and with other First Nations and Aboriginal organizations, will better maximize benefits to First Nations in British Columbia and, to advance the objectives set out in this Protocol, we will:

- a. seek opportunities and endeavor to work with other organizations; and
- b. encourage other organizations to coordinate their efforts with us and with one another.

Cooperation

We commit to engage in an ongoing, cooperative dialogue to achieve the purposes of this Protocol.

We commit to participate in assemblies of the First Nations Leadership Council and all organizations that enter into a Protocol with the First Nations Leadership Council, to be hosted by the First Nations Leadership Council.

We commit to participate in regular meetings (i.e. quarterly) of the Executive Directors (or their equivalent) and policy staff of all organizations that enter into a Protocol with the First Nations Leadership Council.

The First Nations Child and Family Wellness Council commits to provide to the First Nations Leadership Council quarterly written reports on their successes, progress, barriers or issues in order to increase understanding and awareness of issues and to identify opportunities for support and coordination.

We commit to ongoing support for the Transformative Change Accord, the ongoing New Relationship process, and other initiatives aimed at addressing the needs of First Nations.

We may develop strategies or work plans, and/or establish joint working groups/committees, including Terms of Reference on issues of common concern or priority to advance the purposes of this Protocol.

General

We may amend this Protocol from time to time by our agreement in writing.

This Protocol does not create any financial obligations on either of us.

This Protocol does not limit or affect the mandate or the ability of any member organization of the First Nations Leadership Council to pursue their respective political mandates.

This Protocol will continue until such time as we agree it is no longer required.

Signed this ___ day of _____, 2012

FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the FIRST NATIONS SUMMIT

On behalf of the UNION OF BC INDIAN CHIEFS

On behalf of the BC ASSEMBLY OF FIRST NATIONS

On behalf of the FIRST NATIONS CHILD AND FAMILY WELLNESS COUNCIL

PROCEDURAL APPENDIX

The purpose of the Procedural Appendix is to set out operational procedures to support the Protocol and Declaration, in addition to those set out in the First Nations Leadership Council Terms of Reference.

We commit to work together and provide mutual support and cooperation at political and technical levels for the purposes of this Protocol, and processes will include, but are not limited to:

- a) Meetings:
 - i. Annual meetings, at a minimum, between the First Nations Leadership Council and the First Nations Child and Family Wellness Council at the political level.
 - ii. The First Nations Child and Family Wellness Council will provide reports and critical updates at assemblies of the B.C. Assembly of First Nations, First Nations Summit, and the Union of B.C. Indian Chiefs, and other public meetings as necessary.
 - iii. The First Nations Leadership Council will attend assemblies of the First Nations Child and Family Wellness Council and other public meetings as invited by the First Nations Child and Family Wellness Council, to provide support and critical updates as necessary and within capacity.
- b) Advocacy:
 - i. The First Nations Child and Family Wellness Council will provide technical support as requested and within existing capacity, when First Nations Leadership Council members are engaged in sectoral advocacy on behalf of Nations.
 - ii. The First Nations Child and Family Wellness Council will identify as necessary, sectoral regional, provincial and national matters that impact Aboriginal Title and Rights and Treaty Rights, in order to highlight issues that need to be addressed with political advocacy by the First Nations Leadership Council.
- c) Communications and Information-Sharing:
 - i. At the request of the First Nations Leadership Council, within existing capacity, the First Nations Child and Family Wellness Council will conduct research, analysis and options for consideration on sectoral issues, including federal and provincial policy and legislative initiatives.
 - ii. In addition to existing respective communications mechanisms, the First Nations Child and Family Wellness Council will provide regular communications to Nations on progress in addressing priority sectoral issues through including but not limited to First Nations Leadership Council information bulletins.
 - iii. The First Nations Child and Family Wellness Council and the First Nations Leadership Council will engage in regular and ongoing communication and information-sharing, including providing copies of relevant correspondence and other sectoral political and technical materials to each other.

TABLED

**UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD - FEBRUARY 24TH, 2012
RICHMOND, B.C.**

Resolution no. 2012-05

RE: BC First Nations Mining Policy

WHEREAS mining free entry dates back to the gold rush period, when the Crown deemed that natural resources were infinite and that wilderness should be tamed. Today, this is still the foundation of British Columbia's mining industry;

WHEREAS the provincial free entry regime provides open access to any miner to any part of the provincial mineral zone to explore for minerals. The regime does not recognize constitutionally protected Aboriginal Title and Rights, and is incompatible with both the Crown's legal duty to consult with and accommodate First Nations and the Province's commitments under the New Relationship;

WHEREAS the free entry system jeopardizes the future of a healthy mining industry in BC and the opportunity for the Crown and industry to build positive governance and business relationships with First Nations;

WHEREAS a significant overhaul of the provincial legislative and regulatory mining regime is needed to decrease conflict, responsibly manage lands and resources, ensure sustainable development, provide meaningful benefits to First Nations, and provide certainty for government and industry investments;

WHEREAS by Resolution 2011-22, the UBCIC Chiefs Council: a) supported the creation of a legal requirement for mineral exploration agreements that should be in place with the impacted First Nation(s) prior to exploration; and, b) called on the First Nations Energy and Mining Council to work with the First Nations Leadership Council, to create a solutions paper for engaging the Province on solutions to the mining free entry system, consistent with the *United Nations Declaration on the Rights of Indigenous Peoples* including the right to Free, Prior and Informed Consent;

WHEREAS pending changes to the mining regime, there is a need for consistent policy guidance for use by First Nations when negotiating with the Crown or proponents in relation to proposed mineral exploration or mining projects in the context of the free mining regime;

WHEREAS in response to this First Nations capacity need, the First Nations Energy & Mining Council has worked with First Nations to develop a draft, optional BC First Nations Mining Policy that is intended to provide greater clarity of First Nations' expectations in relation to mineral exploration and other mining related activities in our respective territories, including our role as governments in decision-making and ensuring our communities share in benefits and revenues generated from development of lands and resources in our territories. In particular, the BC First Nations Mining Policy is intended to: a) set out standards and principles on which our Nations will base decisions respecting proposals for mineral exploration and other mining related activities in our respective territories; and b) set out how our Nations intend to respond to and manage proposals for mineral exploration and other mining related activity in our territories;

WHEREAS supporting the use of the BC First Nations Mining Policy would serve to increase Crown and proponent understanding of First Nations' standards in relation to engagement and mining activities, and support First Nation capacity to negotiate and conclude agreements to ensure certain critical issues are addressed, while work is undertaken to reform the free entry regime;

TABLED

WHEREAS the following Articles of the *United Nations Declaration on the Rights of Indigenous Peoples* are relevant to the BC First Nations Mining Policy and are set out in Schedule B to the Policy: 3, 18, 19, 25, 26, 28, 29, 31, 32, 37, 38 and 39.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the optional draft BC First Nations Mining Policy, and recommends that First Nations Governments consider the Policy, making any modifications each First Nation Government may deem appropriate for its respective Indigenous laws as well as reviewing with its own legal counsel;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the UBCIC Executive to work with interested First Nations Governments, the BC First Nations Energy & Mining Council, the First Nations Summit, and the BC Assembly of First Nations to:

- a. develop and implement a communications strategy to advise and inform the Province, Canada, proponents and industry groups about the BC First Nations Mining Policy; and
- b. develop and coordinate strategies to assist First Nations Governments to implement the BC First Nations Mining Policy if they so choose.

Moved: Chief Maureen Chapman, Skawahlook First Nation
Seconded: Chief James Hobart, Spuzzum First Nation
Disposition: TABLED
Date: February 23, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-06

RE: Support for First Nations Leadership Council Entering into a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Energy and Mining Council

WHEREAS the First Nations Leadership Council wishes to unite and cooperate with First Nations and First Nations/Aboriginal organizations with mandates in British Columbia to coordinate political and technical strengths toward the objectives of unity and advancing First Nations' inherent, inalienable right of self-determination, Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of Indigenous Peoples;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out in Article 5 that "Indigenous peoples have the right to maintain and strengthen their 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";

WHEREAS the First Nations Leadership Council developed a draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*, to be entered into by the First Nations Leadership Council and First Nation/Aboriginal organizations with mandates in British Columbia to achieve this objective. This draft template was endorsed by the First Nations Summit Resolution #0906.08, UBCIC Resolution no. 2007-22; and the BC Assembly of First Nations Resolution 10/2007;

WHEREAS the First Nations Leadership Council updated the draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* to reflect its 2010 Terms of Reference and Accountability Framework, and to allow for the optional inclusion of a Procedural Appendix;

WHEREAS the First Nations Leadership Council and the First Nations Energy and Mining Council wish to enter into a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the attached *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* being entered into by the UBCIC Executive on behalf of the

UBCIC Chiefs Council and as part of the First Nations Leadership Council, with the First Nations Energy and Mining Council;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with the other members of the First Nations Leadership Council to execute a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Energy and Mining Council;

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with other members of the First Nations Leadership Council and with the First Nations Energy and Mining Council to provide regular reports to the UBCIC Chiefs Council.

Moved: Clint Tuttle, Sumas First Nation (Proxy)
Seconded: Chief Janet Webster, Lytton First Nation
Disposition: Carried
Date: February 23, 2012

**DECLARATION & PROTOCOL of
RECOGNITION, SUPPORT, COOPERATION
AND COORDINATION**

Between

**THE FIRST NATIONS LEADERSHIP COUNCIL
(B.C. ASSEMBLY OF FIRST NATIONS, FIRST NATIONS SUMMIT, and THE UNION OF B.C. INDIAN
CHIEFS)**

And

B.C. FIRST NATIONS ENERGY AND MINING COUNCIL

DECLARATION

As the original and Indigenous Peoples to this great land, we have the inalienable right of self-determination. By virtue of this right, we are free to determine our political status and free to pursue our economic, social, health and well-being, and cultural development.

We recognize and affirm that we continue to exist and live as the original and Indigenous Peoples and that this is a fundamental human right.

We recognize and affirm the continued existence of the Indigenous and Aboriginal Title and Rights of our respective First Nations and their people to their traditional territories, lands and resources, and that we continue to exercise our collective and inherent authorities and jurisdictions over and in the territories, lands and resources which we have traditionally occupied, used or otherwise acquired.

We recognize and affirm that, as the original and Indigenous Peoples, we have the right to redress by means of restitution or, where this is not possible, of just, fair and equitable compensation for the territories, lands and resources which we have traditionally owned or otherwise occupied or used and which have been confiscated, taken, occupied, used or damaged without our free, prior and informed consent.

We have been involved in and support:

- the development and adoption of the United Nations Declaration on the Rights of Indigenous Peoples;
- the development of the Declaration of the II Summit of the Indigenous Peoples of the Americas;
- the New Relationship with the Province of British Columbia; and
- the Transformative Change Accord with the Governments of British Columbia and Canada.

Therefore we agree to coordinate our political and technical strengths and efforts toward the objectives of:

- advancing the full and proper implementation, recognition, reconciliation and accommodation of Aboriginal Title and Rights, and Treaty Rights;

- improving the lives and socio-economic circumstances of First Nations people and communities in British Columbia;
- ending the denial by the Crown, as represented by the Governments of British Columbia and Canada, of the existence of our Peoples and our Aboriginal Title and Rights to our traditional territories, lands and resources.

PROTOCOL

Recognizing:

- We agree that First Nations and Aboriginal organizations with mandates in BC must coordinate their political and technical strengths toward the objectives of the above Declaration and advancing Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of First Nations people and communities in British Columbia. We wish to unite and cooperate in their efforts to advance these objectives.
- The First Nations Leadership Council has undertaken an ongoing formal political process to work cooperatively together to politically advance and support the interests and initiatives of all First Nations, First Nations people and First Nations communities in British Columbia, as set out in the Leadership Accord signed on March 17, 2005, and further set out in the First Nations Leadership Council Terms of Reference and Accountability Framework, endorsed at the All-Chiefs Assembly in November/December, 2010, and endorsed through resolutions passed by the respective assemblies of the First Nations Summit, the Union of B.C. Indian Chiefs, and the B.C. Assembly of First Nations.
- The B.C. First Nations Energy and Mining Council has a mandate to implement the B.C. First Nations Energy Action Plan (2007) and the B.C. First Nations Mineral Exploration and Mining Action Plan (2008) and supports the First Nations Leadership Council's mandate.
- The First Nations Leadership Council and the provincial and federal governments have committed to work together to improve the socio-economic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal title and rights with the assertion of Crown sovereignty. To this end, the First Nations Leadership Council has:
 - developed, with the Province of British Columbia, a vision for a new government-to-government relationship between First Nations Governments and the British Columbia Government based on respect, recognition and accommodation of Aboriginal title and rights (the "New Relationship"); and
 - signed a Transformative Change Accord with the Province of British Columbia and the Government of Canada; and
 - been involved in, and support, the United Nations Declaration on the Rights of Indigenous Peoples, which was endorsed by Canada on November 12, 2010.
- Cooperative efforts to advance the New Relationship and the Transformative Change Accord are ongoing.
- Each of us has an important role to play in advancing these and other initiatives to improve the lives of First Nations people in British Columbia.

We agree as follows:

Purpose

We recognize and affirm that First Nations Peoples continue to exist in British Columbia and Canada and have traditional ownership over and in their territories, lands and resources and continue to exercise their authority in and over their territories, lands and resources.

We recognize and affirm the Aboriginal Title and Rights, and any Treaty Rights of First Nations in British Columbia, including their autonomy, jurisdiction and authority with respect to their traditional territories and, within this context, the purposes of this Protocol are to:

- a. affirm our intentions to work together in a cooperative manner, and to provide support for one another's efforts, advance the recognition, respect and accommodation of Aboriginal Title and Rights, and Treaty Rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts;
- b. establish a mechanism by which we can:
 - i. identify areas where we can work together within our respective mandates, to advance the New Relationship, the Transformative Change Accord, and any other initiatives or processes aimed at improving the conditions of First Nations communities; and
 - ii. identify how we will communicate, exchange information, effectively organize activities, and streamline their efforts;
- c. any other purpose we identify and agree to.

This Protocol is only for communications and political advocacy for the protection of Aboriginal Title and Rights and is not a process to support the funding requirements of any First Nation organizations.

Principles

We agree that the implementation of this Protocol will be guided by principles set out in the Accountability Framework Appendix to the First Nations Leadership Council Terms of Reference, in addition to the following principles:

- a. respect for and recognition of the Aboriginal Title and Rights, and Treaty Rights, of First Nations;
- b. respect for and recognition that Indigenous Peoples have the right of self-determination and, by virtue of that right, they freely determine their political status and freely pursue their economic, social, health and well-being, and cultural development;
- c. respect and recognition of and respect for our respective mandates;
- d. respect for existing agreements outside of this Protocol we may have in place; and,
- e. recognition that cooperation requires an effective communication process between us.

We recognize that other First Nations and Aboriginal organizations have mandates and

a role to play with respect to advancing the objectives of this Protocol and that our coordination of efforts and cooperation with each other and with other First Nations and Aboriginal organizations, will better maximize benefits to First Nations in British Columbia and, to advance the objectives set out in this Protocol, we will:

- a. seek opportunities and endeavor to work with other organizations; and
- b. encourage other organizations to coordinate their efforts with us and with one another.

Cooperation

We commit to engage in an ongoing, cooperative dialogue to achieve the purposes of this Protocol.

We commit to participate in assemblies of the First Nations Leadership Council and all organizations that enter into a Protocol with the First Nations Leadership Council, to be hosted by the First Nations Leadership Council.

We commit to participate in regular meetings (i.e. quarterly) of the Executive Directors (or their equivalent) and policy staff of all organizations that enter into a Protocol with the First Nations Leadership Council.

The BC First Nations Energy and Mining Council commits to provide to the First Nations Leadership Council quarterly written reports on their successes, progress, barriers or issues in order to increase understanding and awareness of issues and to identify opportunities for support and coordination.

We commit to ongoing support for the Transformative Change Accord, the ongoing New Relationship process, and other initiatives aimed at addressing the needs of First Nations.

We may develop strategies or work plans, and/or establish joint working groups/committees, including Terms of Reference on issues of common concern or priority to advance the purposes of this Protocol.

General

We may amend this Protocol from time to time by our agreement in writing.

This Protocol does not create any financial obligations on either of us.

This Protocol does not limit or affect the mandate or the ability of any member organization of the First Nations Leadership Council to pursue their respective political mandates.

This Protocol will continue until such time as we agree it is no longer required.

Signed this ____ day of _____, 2012

FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the BC ASSEMBLY OF FIRST NATIONS

On behalf of the FIRST NATIONS SUMMIT

On behalf of the UNION OF BC INDIAN CHIEFS

On behalf of the BC FIRST NATIONS ENERGY AND MINING COUNCIL

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-07

RE: Support for the Fair, Just and Timely Resolution of Nadleh Whut'en's Specific Claims

WHEREAS in its June 12, 2007 *Specific Claims Action Plan*, the Government of Canada committed to finally resolving Canada's outstanding legal obligations with respect to Specific Claims by creating a process that "ensure[s] impartiality and fairness, greater transparency, faster processing and better access to mediation." The *Action Plan* resulted in new legislation, *The Specific Claims Tribunal Act* (SCTA), to eliminate the backlog of Specific Claims by creating an independent tribunal to review rejected or backlogged specific claims;

WHEREAS in spite of Canada's commitment, Nadleh Whut'en First Nation's Specific Claims remain unresolved, as one claim has been rejected outright and another received a final settlement offer on only a small portion of their claim, with no chance to negotiate meaningfully;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out that:

Article 8: States shall provide effective mechanisms for prevention of, and redress for... Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize 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;

Article 28 (1): Indigenous peoples have the right to redress, by means that can include restitution or, when this and adjudicate the rights is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

(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;

WHEREAS on February 2, 2012, the Union of BC Indian Chiefs made a submission to the United Nations Committee on the Elimination of Racial Discrimination ("CERD"- 80th Session, 13 February - 9 March 2012, Geneva) recommending that:

- Canada take immediate and effective measures to implement the *United Nations Declaration on the Rights of Indigenous Peoples*, with specific attention paid to the full recognition of Indigenous land rights, including the resolution of Indigenous Specific Claims that arise from and continue to racially discriminatory legislation, policies and ideas which Canada has publicly committed to resolve.
- Canada, in full partnership and consultation with Indigenous Peoples, immediately begin work to establish a process to reform the resolution of Specific Claims that is addresses concerns raised by both Indigenous Nations and by Canada’s own internal review of the Specific Claims Process.
- Canada in full partnership and consultation with Indigenous Peoples, immediately begin work to establish a process to reform the resolution of Specific Claims based on the principles articulated in the *Justice at Last Action Plan*; namely, impartiality and fairness; greater transparency; faster processing of claims; and better access to mediation.
- Canada take full and effective measures to ensure its actions and policies with respect to the resolution of Specific Claims are fully consistent with CERD, and that the Honour of the Canadian Government compels it to respect its outstanding lawful obligations to Indigenous peoples;

WHEREAS on February 1, 2012, the Nadleh Whut’en First Nation sent a letter to Aboriginal Affairs and Northern Development Canada rejecting their offer as it is “so fundamentally flawed and so fundamentally underestimates the strength and resolve of our community”;

WHEREAS the Nadleh Whut’en First Nation has no confidence that Canada will resolve its outstanding lawful obligations with respect to Specific Claims. Instead of resolving its longstanding lawful obligations, Canada is accelerating its efforts to minimize its commitments, obligations and liabilities under the new Specific Claims process in the following ways:

- Canada’s officious, bureaucratic treatment of claimant First Nations in participating in the Specific Claims process calls into question Canada’s real commitment to fulfilling the honour of the Crown.
- Canada is making final “offers to negotiate,” that First Nations are instructed either to accept or reject the offer, rather than discuss and negotiate).
- There is real concern that the Specific Claim Tribunal, which can make binding decisions on rejected claims, may soon not have sufficient operational resources.
- There is real concern that the money set aside for claim settlements and Tribunal awards is insufficient.
- Canada’s approach to claims at the Tribunal thus far has included time-wasting technical delays that attempt to reduce its own lawful obligations, rather than attempt to meaningfully resolve claims.
- Canada’s public reporting of the progress of Specific Claims under the *Action Plan* creates the false impression that they are being “resolved” when in fact they are simply being administratively addressed.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports the Nadleh Whut’en First Nation in their efforts to achieve a fair, just and timely resolution of their Specific Claims;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council demands that Canada fulfills its lawful obligations to First Nations with respect to resolving Specific Claims by engaging in meaningful and honourable negotiations.

Moved: Clint Tuttle, Sumas First Nation (Proxy)
Seconded: Kukpi7 Wayne Christian, Splots’in
Disposition: Carried
Date: February 23, 2012

TABLED

**UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD-24TH, 2012
RICHMOND, B.C.**

Resolution no. 2012-08

RE: Endorsement of UBCIC Citizenship Position Paper

WHEREAS our ability as Indigenous Peoples to define our own citizenship is key to our sovereignty and nationhood;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, ratified by Canada on November 12, 2010, directs an approach that recognizes Indigenous Peoples' collective and ancestral rights and responsibilities to determine our own identity and citizenship flowing from our own laws:

- **Article 8:** Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture....States shall provide effective mechanisms for prevention of, and redress for...Any form of forced assimilation or integration...
- **Article 9:** Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right;

WHEREAS by Resolution 2011-13, the UBCIC Chiefs Council directed the UBCIC Executive and the UBCIC Bill C-31 Working Group to participate in Aboriginal Affairs and Northern Development Canada's Exploratory Process on First Nations Citizenship, Band Registration, and Membership ("Exploratory Process") by holding regional, Nation-based dialogue sessions in accordance with a specific set of key principles;

WHEREAS as part of the Exploratory Process, the UBCIC Bill C-31 Working Group produced a rolling draft position paper on citizenship that incorporated historical context and considerations of financial impacts, as well as incorporated feedback from participants who took part in the regional dialogue sessions;

WHEREAS the position paper was presented to the UBCIC Chiefs Council for consideration, amendment and endorsement on November 22, 2011;

WHEREAS by Resolution 2011-65, the UBCIC Chiefs Council directed a "UBCIC Citizenship Paper Working Group" be struck to review and revise the position paper and separate the draft paper into two parts, with the first part addressing the continued impacts of the *Indian Act*, and the second part addressing how First Nations can develop their own citizen laws.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council hereby endorses the position paper "Recovery and Renewal- Reclaiming Indigenous Citizenship" as amended;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to circulate the position paper to all UBCIC members.

Moved:

Seconded:

Disposition: **TABLED**

Date: **February 24, 2012**

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD - FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-09

RE: Granting of Grand-Chieftainship to Ron Derrickson

WHEREAS Ronald (Ron) M. Derrickson, is a member of the Okanagan (Syilx) Nation who was born into poverty in a tar paper shack, and is now one of the most successful entrepreneurs in Canada and internationally;

WHEREAS Ron Derrickson worked the land starting at an early age, later becoming a welder and then running farms and setting up businesses on the Westbank Indian Reserve and abroad;

WHEREAS Ron Derrickson possesses great business acumen, having built up the RMD Group of Companies consisting of more than twenty companies with numerous properties, including a marina and an executive golf course and is committed to giving back to his people;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out in Article 3 that “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”;

WHEREAS Ron Derrickson, with his determination and commitment, serves as a role model for young Aboriginal persons and has built very strong business and negotiating skills which he is ready to share with Aboriginal Peoples across British Columbia to help build independent wealth;

WHEREAS Ron Derrickson served as the chief of the Westbank Indian Band for six terms between 1976 and 2000. Under his leadership the Westbank Indian Band became one of the wealthiest reserves in Canada, with twelve profitable band businesses he helped to develop;

WHEREAS Ron Derrickson always supported the work of the Union of BC Indian Chiefs and considered Grand Chief George Manuel an inspiring man, who he began working with in the 1970s;

WHEREAS Ron Derrickson initiated logging action to assert Aboriginal Title and Rights in the late 1990s resulting in an agreement with significant logging concessions for his people;

WHEREAS Ron Derrickson recognizes the importance of asserting Aboriginal Title and Rights and pushing the federal and provincial governments back on their policies that violate constitutionally protected Aboriginal Title and Rights and international human rights and indigenous rights standards;

WHEREAS Ron Derrickson is committed to sharing his experiences as a leader, negotiator and businessman with his people, and using his standing and wealth to support Indigenous Peoples in British Columbia to build economic independence based on the recognition of their rights.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council wishes to formally acknowledge, honour and thank Ronald M. Derrickson for his inspiration and commitment to the Union of BC Indian Chiefs and to the causes of Indigenous Peoples in British Columbia;

THEREFORE BE IT FINALLY RESOLVED that Ronald M. Derrickson is hereby granted the title of Grand Chief of the Union of BC Indian Chiefs.

Moved: Kukpi7 Wayne Christian, Splats'in
Seconded: Chief Arthur Adolph, Xaxli'p First Nation
Disposition: Carried
Date: February 24, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-10

RE: Support for B.C. Hosting National Truth and Reconciliation Gathering, September 2013

WHEREAS on May 8, 2006, Canada and the Assembly of First Nations entered into the Indian Residential Schools Settlement Agreement;

WHEREAS On June 11, 2008, Prime Minister Stephen Harper issued a Statement of Apology on behalf of Canadians for the Indian Residential Schools System;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out:

Article 7(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 8(2): States shall provide effective mechanisms for prevention of, and redress for: (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities; (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights; (d) Any form of forced assimilation or integration;

WHEREAS the Indian Residential Schools Settlement Agreement called for the establishment of a Truth and Reconciliation Commission of Canada whose mandate is to learn the truth about what happened in the residential schools and to inform all Canadians;

WHEREAS the Truth and Reconciliation Commission will host seven national events in different regions across Canada, and Vancouver has been awarded one of these national events, scheduled to take place in September, 2013.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports a three-day National Truth and Reconciliation Commission Gathering being held in Vancouver, in September, 2013;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the Truth and Reconciliation Commission to establish a region-specific Engagement/Executive Committee to guide and support the planning necessary to host a three-day National Gathering in Vancouver;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to sit as ex-officio members of the proposed Engagement/Executive Committee.

Moved: Chief Janet Webster, Lytton First Nation
Seconded: Clint Tuttle, Sumas First Nation (Proxy)
Disposition: Carried
Date: February 24, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-11

RE: Support for Aboriginal Tourism Association of BC 5 Year Plan “The Next Phase: 2012-2017”

WHEREAS the Aboriginal Tourism Association of British Columbia (AtBC) is a provincial Aboriginal cultural tourism sector organization established in 1996-97 that supports training, product development and marketing of culturally rich Aboriginal tourism products and services on behalf of Aboriginal communities and entrepreneurs in BC, and is recognized as an international leader in developing authentic Aboriginal cultural tourism experiences;

WHEREAS AtBC has successfully implemented the Blueprint Strategy that supported the growth of the industry from \$20 million to \$42 million between 2006 – 2010, including the marketing success during the 2010 Olympic and Paralympic Games, with the support of First Nations leadership and communities of British Columbia;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out in Article 15:

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society;

WHEREAS in 2008 AtBC and the First Nations Leadership Council (comprised of the UBCIC, BC Assembly of First Nations, and First Nations Summit) entered into a Declaration & Protocol of Recognition, Support, Cooperation and Coordination;

WHEREAS AtBC continues to contribute to the preservation of Aboriginal culture and advancement of economic development through support, facilitation and promotion of the growth and sustainability of a quality and culturally rich Aboriginal tourism industry in British Columbia;

WHEREAS AtBC has developed a five-year Strategy for Aboriginal Cultural Tourism in British Columbia, ‘THE NEXT PHASE: 2012-2017’ *A Five Year Strategy*. AtBC seeks to secure a new five-year joint investment of \$10 million from the Government of Canada and the Government of British Columbia.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council continues to support the Aboriginal Tourism Association of British Columbia (AtBC) in the preservation of Aboriginal culture and advancement of economic development through support, facilitation and promotion of the growth and sustainability of a quality and culturally rich Aboriginal tourism industry in British Columbia;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the Governments of Canada and British Columbia to jointly invest \$10 million dollars to support AtBC in the implementation of 'THE NEXT PHASE: 2012-2017' *A Five Year Strategy*.

Moved: Chief Janet Webster, Lytton First Nation
Seconded: Clint Tuttle, Sumas First Nation (Proxy)
Disposition: Carried
Date: February 23, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-12

RE: First Nations Information Management Systems

WHEREAS the First Nations Technology Council (FNTC) mandate includes development of an Integrated Information Management Strategy to ensure that First Nations have access to the systems required to manage their data and information, and also to ensure that First Nations have the capacity to manage their data/information;

WHEREAS accurate data and reliable information are essential for First Nations planning, decision-making, compliance, accountability, reporting, and evaluation of project success. First Nations must have access to complete data in order to govern effectively and manage responsibly;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out:

Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing, and other economic and social programmes affecting them, and as far as possible, to administer such programmes through their own institutions;

WHEREAS First Nations hold a wealth of traditional cultural knowledge about the territories that must be preserved and protected. They are the authoritative source for historical information in their territories and there is no greater database of effective and successful management practices than this resource. This information must be secured but also accessible and searchable when needed;

WHEREAS the Community Needs Assessment conducted by the FNTC in 2009 with 99 survey respondents from BC First Nations identified a need for information management “Tools of Governance” in both people data and lands and resources data, that enable them to effectively plan and make decisions;

WHEREAS the FNTC is currently working on developing and funding First Nations Information Management Systems that can be used as “Tools of Governance”:

- a) People Data – FNTC is taking over management and distribution of a social system developed by the Sto:lo Nation that manages Administration, Social Development and Education. FNTC has

created a Housing, and Citizenship module with future plans for an Employment module. Other modules could include Children in Care with a possible link to a Health system.

- b) Lands and Resource Data - FNTC has developed and presented a proposal to develop a modular Lands and Resource Management System to Western Diversification and to Aboriginal Affairs and Northern Development Canada. This system would build on work done by First Nations and would include a Referrals Administration module; a Decision Support module; a GIS module; an Online Web Atlas (already in development); an Electronic Document Management System that could be used Nation-wide; an Invoicing/Time Management module; and a Registry module.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs Council calls upon the governments of British Columbia and Canada to invest in the essential “Tools of Governance” proposed by the First Nations Technology Council (FNTC) to manage people data and lands and resource data, and specifically to resource the proposals submitted by the FNTC for the development of Unification and the Lands and Resource Information Management Systems for the use of all First Nations.

Moved: Chief Judy Wilson, Neskonlith Indian Band
Seconded: Chief Dan Manuel, Upper Nicola Indian Band
Disposition: Carried
Date: February 24, 2012

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-13

RE: Support for First Nations Leadership Council Entering into a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Technology Council

WHEREAS the First Nations Leadership Council wishes to unite and cooperate with First Nations and First Nations/Aboriginal organizations with mandates in B.C. to coordinate political and technical strengths toward the objectives of unity and advancing First Nations inherent, inalienable right of self-determination, Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of Indigenous Peoples;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out in Article 5 that “Indigenous peoples have the right to maintain and strengthen their 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”;

WHEREAS the First Nations Leadership Council developed a draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*, to be entered into by the First Nations Leadership Council and First Nation/Aboriginal organizations with mandates in British Columbia to achieve this objective. This draft template was endorsed by the First Nations Summit Resolution #0906.08, UBCIC Resolution no. 2007-22; and the BC Assembly of First Nations Resolution 10/2007;

WHEREAS the First Nations Leadership Council updated the draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* to reflect its 2010 Terms of Reference and Accountability Framework, and to allow for the optional inclusion of a Procedural Appendix;

WHEREAS the First Nations Leadership Council and the First Nations Technology Council wish to enter into a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the attached *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* being entered into by the UBCIC Executive on behalf of the UBCIC Chiefs Council and as part of the First Nations Leadership Council, with the First Nations Technology Council;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with the other members of the First Nations Leadership Council to execute a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Technology Council;

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with other members of the First Nations Leadership Council and the First Nations Technology Council to provide regular reports to the UBCIC Chiefs Council.

Moved: Chief Judy Wilson, Neskonlith Indian Band
Seconded: Chief Dan Manuel, Upper Nicola Indian Band
Disposition: Carried
Date: February 24, 2012

DECLARATION & PROTOCOL of

**RECOGNITION, SUPPORT, COOPERATION
AND COORDINATION**

Between

**THE FIRST NATIONS LEADERSHIP COUNCIL
(B.C. ASSEMBLY OF FIRST NATIONS, FIRST NATIONS SUMMIT, and THE UNION OF B.C. INDIAN
CHIEFS)**

And

THE FIRST NATIONS TECHNOLOGY COUNCIL

DECLARATION

As the original and Indigenous Peoples to this great land, we have the inalienable right of self-determination. By virtue of this right, we are free to determine our political status and free to pursue our economic, social, health and well-being, and cultural development.

We recognize and affirm that we continue to exist and live as the original and Indigenous Peoples and that this is a fundamental human right.

We recognize and affirm the continued existence of the Indigenous and Aboriginal Title and Rights of our respective First Nations and their people to their traditional territories, lands and resources, and that we continue to exercise our collective and inherent authorities and jurisdictions over and in the territories, lands and resources which we have traditionally occupied, used or otherwise acquired.

We recognize and affirm that, as the original and Indigenous Peoples, we have the right to redress by means of restitution or, where this is not possible, of just, fair and equitable compensation for the territories, lands and resources which we have traditionally owned or otherwise occupied or used and which have been confiscated, taken, occupied, used or damaged without our free, prior and informed consent.

We have been involved in and support:

- the development and adoption of the United Nations Declaration on the Rights of Indigenous Peoples;
- the development of the Declaration of the II Summit of the Indigenous Peoples of the Americas;
- the New Relationship with the Province of British Columbia; and
- the Transformative Change Accord with the Governments of British Columbia and Canada.

Therefore we agree to coordinate our political and technical strengths and efforts toward the objectives of:

- advancing the full and proper implementation, recognition, reconciliation and accommodation of Aboriginal Title and Rights, and Treaty Rights;
- improving the lives and socio-economic circumstances of First Nations people and communities in British Columbia;
- ending the denial by the Crown, as represented by the Governments of British Columbia and Canada, of the existence of our Peoples and our Aboriginal Title and Rights to our traditional territories, lands and resources.

PROTOCOL

Recognizing:

- We agree that First Nations and Aboriginal organizations with mandates in BC must coordinate their political and technical strengths toward the objectives of the above Declaration and advancing Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of First Nations people and communities in British Columbia. We wish to unite and cooperate in their efforts to advance these objectives.
- The First Nations Leadership Council has undertaken an ongoing formal political process to work cooperatively together to politically advance and support the interests and initiatives of all First Nations, First Nations people and First Nations communities in British Columbia, as set out in the Leadership Accord signed on March 17, 2005, and further set out in the First Nations Leadership Council Terms of Reference and Accountability Framework, endorsed at the All-Chiefs Assembly in November/December, 2010, and endorsed through resolutions passed by the respective assemblies of the First Nations Summit, the Union of B.C. Indian Chiefs, and the B.C. Assembly of First Nations.
- The First Nations Technology Council has a mandate to:
 - Create a plan to ensure all First Nations are connected with high speed broadband;
 - Ensure First Nations people have the skills and capacity needed to access technologies that can improve their lives.
 - Develop an Integrated Information Management Strategy;
 - Ensure First Nations have access to affordable, qualified technical support;
 - Establish a Common Services Organization to support the development of technologies and applications in First Nations communities;
 - Develop the Fully Integrated Technologies (FIT) Community Model;
 - Promote First Nations language and culture through technology;and supports the First Nations Leadership Council's mandate.
- The First Nations Leadership Council and the provincial and federal governments have committed to work together to improve the socio-economic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal title and rights with the assertion of Crown sovereignty. To this end, the First Nations Leadership Council has:
 - developed, with the Province of British Columbia, a vision for a new government-to-government relationship between First Nations Governments and the British Columbia Government based on respect, recognition and accommodation of Aboriginal title and rights (the "New Relationship"); and
 - signed a Transformative Change Accord with the Province of British Columbia and the Government of Canada; and
 - been involved in, and support, the United Nations Declaration on the Rights of Indigenous Peoples, which was endorsed by Canada on November 12, 2010.
- Cooperative efforts to advance the New Relationship and the Transformative Change Accord are ongoing.
- Each of us has an important role to play in advancing these and other initiatives to improve the lives of First Nations people in British Columbia.

We agree as follows:

Purpose

We recognize and affirm that First Nations Peoples continue to exist in British Columbia and Canada and have traditional ownership over and in their territories, lands and resources and continue to exercise their authority in and over their territories, lands and resources.

We recognize and affirm the Aboriginal Title and Rights, and any Treaty Rights of First Nations in British Columbia, including their autonomy, jurisdiction and authority with respect to their traditional territories and, within this context, the purposes of this Protocol are to:

- a. affirm our intentions to work together in a cooperative manner, and to provide support for one another's efforts, advance the recognition, respect and accommodation of Aboriginal Title and Rights, and Treaty Rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts;
- b. establish a mechanism by which we can:
 - i. identify areas where we can work together within our respective mandates, to advance the New Relationship, the Transformative Change Accord, and any other initiatives or processes aimed at improving the conditions of First Nations communities; and
 - ii. identify how we will communicate, exchange information, effectively organize activities, and streamline their efforts;
- c. any other purpose we identify and agree to.

This Protocol is only for communications and political advocacy for the protection of Aboriginal Title and Rights and is not a process to support the funding requirements of any First Nation organizations.

Principles

We agree that the implementation of this Protocol will be guided by principles set out in the Accountability Framework Appendix to the First Nations Leadership Council Terms of Reference, in addition to the following principles:

- a. respect for and recognition of the Aboriginal Title and Rights, and Treaty Rights, of First Nations;
- b. respect for and recognition that Indigenous Peoples have the right of self-determination and, by virtue of that right, they freely determine their political status and freely pursue their economic, social, health and well-being, and cultural development;
- c. respect and recognition of and respect for our respective mandates;
- d. respect for existing agreements outside of this Protocol we may have in place; and,
- e. recognition that cooperation requires an effective communication process between us.

We recognize that other First Nations and Aboriginal organizations have mandates and a role to play with respect to advancing the objectives of this Protocol and that our coordination of efforts and cooperation with each other and with other First Nations and Aboriginal organizations, will better maximize benefits to First Nations in British Columbia and, to advance the objectives set out in this Protocol, we will:

- a. seek opportunities and endeavor to work with other organizations; and
- b. encourage other organizations to coordinate their efforts with us and with one another.

Cooperation

We commit to engage in an ongoing, cooperative dialogue to achieve the purposes of this Protocol.

We commit to participate in assemblies of the First Nations Leadership Council and all organizations that enter into a Protocol with the First Nations Leadership Council, to be hosted by the First Nations Leadership Council.

We commit to participate in regular meetings (i.e. quarterly) of the Executive Directors (or their equivalent) and policy staff of all organizations that enter into a Protocol with the First Nations Leadership Council.

The First Nations Technology Council commits to provide to the First Nations Leadership Council quarterly written reports on their successes, progress, barriers or issues in order to increase understanding and awareness of issues and to identify opportunities for support and coordination.

We commit to ongoing support for the Transformative Change Accord, the ongoing New Relationship process, and other initiatives aimed at addressing the needs of First Nations.

We may develop strategies or work plans, and/or establish joint working groups/committees, including Terms of Reference on issues of common concern or priority to advance the purposes of this Protocol.

General

We may amend this Protocol from time to time by our agreement in writing.

This Protocol does not create any financial obligations on either of us.

This Protocol does not limit or affect the mandate or the ability of any member organization of the First Nations Leadership Council to pursue their respective political mandates.

This Protocol will continue until such time as we agree it is no longer required.

Signed this ____ day of _____, 2012

FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the BC ASSEMBLY OF FIRST NATIONS

On behalf of the FIRST NATIONS SUMMIT

On behalf of the UNION OF BC INDIAN CHIEFS

THE FIRST NATIONS TECHNOLOGY COUNCIL

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-14

RE: Support for First Nations Leadership Council Renewing its *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Forestry Council

WHEREAS the First Nations Leadership Council wishes to unite and cooperate with First Nations and First Nations/Aboriginal organizations with mandates in British Columbia to coordinate political and technical strengths toward the objectives of unity and advancing First Nations inherent, inalienable right of self-determination, Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of Indigenous Peoples;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out in Article 5 that “Indigenous peoples have the right to maintain and strengthen their 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”;

WHEREAS the First Nations Leadership Council developed a draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination*, to be entered into by the First Nations Leadership Council and First Nation/Aboriginal organizations with mandates in British Columbia to achieve this objective. This draft template was endorsed by the First Nations Summit Resolution #0906.08, UBCIC Resolution no. 2007-22; and the BC Assembly of First Nations Resolution 10/2007;

WHEREAS the First Nations Leadership Council updated the draft template *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* to reflect its 2010 Terms of Reference and Accountability Framework, and to allow for the optional inclusion of a Procedural Appendix;

WHEREAS by Resolution 2007-55, the UBCIC Chiefs Council directed the UBCIC Executive to work with the other members of the First Nations Leadership Council to execute a *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Forestry Council;

WHEREAS the First Nations Leadership Council and the First Nations Forestry Council wish to renew the *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* that they entered into on December 5, 2008.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the attached *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* being renewed by the UBCIC Executive on behalf of the UBCIC Chiefs Council as part of the First Nations Leadership Council, with the First Nations Forestry Council;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with the other members of the First Nations Leadership Council to execute the renewed *Declaration & Protocol of Recognition, Support, Cooperation and Coordination* with the First Nations Forestry Council;

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to work with other members of the First Nations Leadership Council and with the First Nations Forestry Council to provide regular reports to the UBCIC Chiefs Council.

Moved: Clint Tuttle, proxy, Sumas First Nation
Seconded: Tony Underwood, Tsawout First Nation (Proxy)
Disposition: Carried
Date: February 24, 2012

**DECLARATION & PROTOCOL of
RECOGNITION, SUPPORT, COOPERATION
AND COORDINATION**

Between

**THE FIRST NATIONS LEADERSHIP COUNCIL
(B.C. ASSEMBLY OF FIRST NATIONS, FIRST NATIONS SUMMIT, and THE UNION OF B.C. INDIAN
CHIEFS)**

And

FIRST NATIONS FORESTRY COUNCIL

DECLARATION

As the original and Indigenous Peoples to this great land, we have the inalienable right of self-determination. By virtue of this right, we are free to determine our political status and free to pursue our economic, social, health and well-being, and cultural development.

We recognize and affirm that we continue to exist and live as the original and Indigenous Peoples and that this is a fundamental human right.

We recognize and affirm the continued existence of the Indigenous and Aboriginal Title and Rights of our respective First Nations and their people to their traditional territories, lands and resources, and that we continue to exercise our collective and inherent authorities and jurisdictions over and in the territories, lands and resources which we have traditionally occupied, used or otherwise acquired.

We recognize and affirm that, as the original and Indigenous Peoples, we have the right to redress by means of restitution or, where this is not possible, of just, fair and equitable compensation for the territories, lands and resources which we have traditionally owned or otherwise occupied or used and which have been confiscated, taken, occupied, used or damaged without our free, prior and informed consent.

We have been involved in and support:

- the development and adoption of the United Nations Declaration on the Rights of Indigenous Peoples;
- the development of the Declaration of the II Summit of the Indigenous Peoples of the Americas;
- the New Relationship with the Province of British Columbia; and
- the Transformative Change Accord with the Governments of British Columbia and Canada.

Therefore we agree to coordinate our political and technical strengths and efforts toward the objectives of:

- advancing the full and proper implementation, recognition, reconciliation and accommodation of Aboriginal Title and Rights, and Treaty Rights;
- improving the lives and socio-economic circumstances of First Nations people and communities in British Columbia;
- ending the denial by the Crown, as represented by the Governments of British Columbia and Canada, of the existence of our Peoples and our Aboriginal Title and Rights to our traditional territories, lands and resources.

PROTOCOL

Recognizing:

- We agree that First Nations and Aboriginal organizations with mandates in BC must coordinate their political and technical strengths toward the objectives of the above Declaration and advancing Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of First Nations people and communities in British Columbia. We wish to unite and cooperate in their efforts to advance these objectives.
- The First Nations Leadership Council has undertaken an ongoing formal political process to work cooperatively together to politically advance and support the interests and initiatives of all First Nations, First Nations people and First Nations communities in British Columbia, as set out in the Leadership Accord signed on March 17, 2005, and further set out in the First Nations Leadership Council Terms of Reference and Accountability Framework, endorsed at the All-Chiefs Assembly in November/December, 2010, and endorsed through resolutions passed by the respective assemblies of the First Nations Summit, the Union of B.C. Indian Chiefs, and the B.C. Assembly of First Nations.
- On September 19-20, 2005, the First Nations Leadership Council and the Carrier Sekani Tribal Council held an emergency forum of approximately 80 First Nations affected by the mountain pine beetle epidemic, which resulted in the *B.C. First Nations Mountain Pine Beetle Action Plan* ("Action Plan"). This Action Plan unanimously endorsed by resolution at Chiefs' assemblies of the First Nations Summit, Union of B.C. Indian Chiefs, and the B.C. Assembly of First Nations. Following the approval of the Action Plan, the First Nations Leadership Council appointed an Interim Mountain Pine Beetle Working Group (MPB-WG) to undertake the task of implementing the Action Plan.
- On April 27, 2006, the First Nations Leadership Council mandated the MPB-WG and two First Nation Leadership Council members to operate as the First Nations Forestry Council, establish itself as a Society under the *B.C. Society Act* as the First Nations Forestry Society, and appointed 5 interim directors.
- The purposes of the First Nations Forestry Council are:
 - To develop, in consultation with First Nations in British Columbia ("B.C. First Nations"), consensus on policies and programs required to advance B.C. First Nations' forestry interests, including, but not limit to, the mountain pine beetle infestation;
 - To work with First Nations Leadership Council to communicate policy and program needs in respect of B.C. First Nations' forestry interests to Canada and the Province;
 - To work with Canada and the Province in the development and implementation of programs to address issues affecting B.C. First Nations' forestry and forestry development;
 - To contract with Aboriginal organizations and other interested parties, including Canada and the Province, to develop and administer programs to assist B.C. First Nations in addressing forestry and forestry development initiatives;
 - To monitor and evaluate the effectiveness of the programs and policies developed to promote the sustainable growth of B.C. First Nations' forestry;
 - To ensure that the needs of B.C. First Nations are adequately addressed by the programs and policies developed in accordance with the Society's purposes; and
 - To undertake community relations and communications programs designed to inform the public of BC First Nations' forestry and forestry development interests.
- The First Nations Leadership Council and the provincial and federal governments have committed to work

together to improve the socio-economic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal title and rights with the assertion of Crown sovereignty. To this end, the First Nations Leadership Council has:

- developed, with the Province of British Columbia, a vision for a new government-to-government relationship between First Nations Governments and the British Columbia Government based on respect, recognition and accommodation of Aboriginal title and rights (the “New Relationship”); and
 - signed a Transformative Change Accord with the Province of British Columbia and the Government of Canada; and
 - been involved in, and support, the United Nations Declaration on the Rights of Indigenous Peoples, which was endorsed by Canada on November 12, 2010.
- Cooperative efforts to advance the New Relationship and the Transformative Change Accord are ongoing.
 - Each of us has an important role to play in advancing these and other initiatives to improve the lives of First Nations people in British Columbia.

We agree as follows:

Purpose

We recognize and affirm that First Nations Peoples continue to exist in British Columbia and Canada and have traditional ownership over and in their territories, lands and resources and continue to exercise their authority in and over their territories, lands and resources.

We recognize and affirm the Aboriginal Title and Rights, and any Treaty Rights of First Nations in British Columbia, including their autonomy, jurisdiction and authority with respect to their traditional territories and, within this context, the purposes of this Protocol are to:

- a. affirm our intentions to work together in a cooperative manner, and to provide support for one another’s efforts, advance the recognition, respect and accommodation of Aboriginal Title and Rights, and Treaty Rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts;
- b. establish a mechanism by which we can:
 - i. identify areas where we can work together within our respective mandates, to advance the New Relationship, the Transformative Change Accord, and any other initiatives or processes aimed at improving the conditions of First Nations communities; and
 - ii. identify how we will communicate, exchange information, effectively organize activities, and streamline their efforts;
- c. any other purpose we identify and agree to.

This Protocol is only for communications and political advocacy for the protection of Aboriginal Title and Rights and is not a process to support the funding requirements of any First Nation organizations.

Principles

We agree that the implementation of this Protocol will be guided by principles set out in the Accountability Framework Appendix to the First Nations Leadership Council Terms of Reference, in addition to the following principles:

- a. respect for and recognition of the Aboriginal Title and Rights, and Treaty Rights, of First Nations;
- b. respect for and recognition that Indigenous Peoples have the right of self-determination and, by virtue of that right, they freely determine their political status and freely pursue their economic, social, health and well-being, and cultural development;
- c. respect and recognition of and respect for our respective mandates;
- d. respect for existing agreements outside of this Protocol we may have in place; and,
- e. recognition that cooperation requires an effective communication process between us.

We recognize that other First Nations and Aboriginal organizations have mandates and a role to play with respect to advancing the objectives of this Protocol and that our coordination of efforts and cooperation with each other and with other First Nations and Aboriginal organizations, will better maximize benefits to First Nations in British Columbia and, to advance the objectives set out in this Protocol, we will:

- a. seek opportunities and endeavor to work with other organizations; and
- b. encourage other organizations to coordinate their efforts with us and with one another.

Cooperation

We commit to engage in an ongoing, cooperative dialogue to achieve the purposes of this Protocol.

We commit to participate in assemblies of the First Nations Leadership Council and all organizations that enter into a Protocol with the First Nations Leadership Council, to be hosted by the First Nations Leadership Council.

We commit to participate in regular meetings (i.e. quarterly) of the Executive Directors (or their equivalent) and policy staff of all organizations that enter into a Protocol with the First Nations Leadership Council.

The First Nations Forestry Council commits to provide to the First Nations Leadership Council quarterly written reports on their successes, progress, barriers or issues in order to increase understanding and awareness of issues and to identify opportunities for support and coordination.

We commit to ongoing support for the Transformative Change Accord, the ongoing New Relationship process, and other initiatives aimed at addressing the needs of First Nations.

We may develop strategies or work plans, and/or establish joint working groups/committees, including Terms of Reference on issues of common concern or priority to advance the purposes of this Protocol.

General

We may amend this Protocol from time to time by our agreement in writing. This Protocol is updated from the December 5th, 2008 Protocol.

This Protocol does not create any financial obligations on either of us.

This Protocol does not limit or affect the mandate or the ability of any member organization of the First Nations Leadership Council to pursue their respective political mandates.

This Protocol will continue until such time as we agree it is no longer required.

Signed this ____ day of _____, 2012

FIRST NATIONS LEADERSHIP COUNCIL

On behalf of the BC ASSEMBLY OF FIRST NATIONS

On behalf of the FIRST NATIONS SUMMIT

On behalf of the UNION OF BC INDIAN CHIEFS

THE FIRST NATIONS FORESTRY COUNCIL

DRAFT

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-15

RE: Appointment to the UBCIC Credentials Committee

WHEREAS the Union of BC Indian Chiefs' Constitution and By-Laws state that:

VIII (f) The Chiefs-in-Assembly at the start of each AGA where an election for President is taking place will appoint a Credentials Committee, comprised of three Full or Active Members in good standing who are members of three separate Indian Nations (and not merely Indian Bands), and are not standing for election;

WHEREAS Resolution 2010-28 appointed Chief Mike LeBourdais, Whispering Pines Indian Band, to the UBCIC Credentials Committee for the remainder of the three-year term ending at the Annual General Assembly in September, 2013;

WHEREAS Resolution 2010-65 appointed Chief Bernie Elkins to the UBCIC Credentials Committee for the remainder of the three-year term ending at the Annual General Assembly in September, 2013;

WHEREAS there is currently one (1) vacancy on the UBCIC Credentials Committee;

WHEREAS the UBCIC Chiefs Council directed the Chair of the Council to call for nominations from the floor to participate in the UBCIC Credentials Committee.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs Council hereby appoints Chief Dan Manuel, Upper Nicola Indian Band, to the UBCIC Credentials Committee for the remainder of the three-year term ending at the Annual General Assembly in September, 2013.

Moved: Kukpi7 Wayne Christian, Splats'in
Seconded: Clint Tuttle, Sumas First Nation (Proxy)
Disposition: Carried
Date: February 24, 2012

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UNION OF BRITISH COLUMBIA INDIAN CHIEFS

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-16

RE: First Peoples Heritage, Language and Culture Council Funding Cuts

WHEREAS the First Peoples Heritage, Language and Culture Council (FPHLCC) was established in 1990 to help First Nations in BC in their efforts to revitalize their languages, arts and cultures and to provide First Nation communities with a high level of support and quality resources;

WHEREAS the FPHLCC provides valuable work and initiatives with First Nations in BC to revitalize and maintain their traditional languages, arts and cultures;

WHEREAS by UBCIC Resolution 2005-05 "First Peoples' Heritage Language and Culture Council Support of British Columbia's First Nations Languages," the UBCIC fully supports the FPHLCC and the valuable work it does with First Nations in BC to revitalize and maintain their traditional languages, arts and cultures;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* sets out:

Article 13: Indigenous Peoples have the right to revitalize, use, develop and transmit to future generations their histories, language, oral tradition, philosophies, writing systems and literatures and to designate and retain their own names for communities, places and persons.

Article 31: Indigenous Peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions...;

WHEREAS the FPHLCC has recently been notified of a decrease in their funding from the Provincial Government's First Citizens Fund of \$400,000 for the upcoming 2012-13 fiscal year;

WHEREAS additionally, the New Relationship Trust (NRT) will be reducing its funding to the FPHLCC by \$250,000 for the upcoming 2012-13 fiscal year;

WHEREAS the combined reduction from the Province and the NRT of \$650,000 will greatly impact FPHLCC's grants and infrastructure, which in turn will also impact the FPHLCC's ability to negotiate additional resources from other important funders.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports the First Peoples Heritage, Language and Culture Council (FPHLCC) and the critical work the Council conducts;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to take immediate steps to lobby the Provincial Government and the NRT for immediate restoration of all funds.

Moved: Chief Dan Manuel, Upper Nicola Indian Band
Seconded: Paul Sam, Tsartlip First Nation (Proxy)
Disposition: Carried
Date: February 24, 2012

OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
FEBRUARY 23RD- FEBRUARY 24TH, 2012
RICHMOND, B.C.

Resolution no. 2012-17

RE: Mandate to Advance Comprehensive Claims Policy Reform

WHEREAS Canada's Comprehensive Claims Policy (CCP) directly contributes to and perpetuates the poverty and suffering in our communities by preventing First Nations from receiving equitable benefit from their traditional lands and resources;

WHEREAS on January 28, 2000, the First Nations organizations located in what is now referred to as British Columbia, signed a "Consensus Statement", which stated:

The Assembly of First Nations, including the Union of B.C. Indian Chiefs, the Interior Alliance and the First Nations Summit, hereby join together publicly to affirm the Aboriginal title and rights of all First Nations in British Columbia and Canada. Canada's Comprehensive Claims Policy is predicated on the denial of our rights and title. We categorically reject this policy and Canada's implementation of this policy. We call upon Canada to assert the honour of the Crown and to adopt a new policy of recognition, affirmation and implementation of Aboriginal title;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* clearly sets out:

Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due 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;

WHEREAS the Assembly of First Nations (AFN) Ad Hoc Working Group on CCP Reform was created pursuant to AFN Resolution No. 40/2009, was formally established as the CCP Working Group by AFN Resolution No. 10/2010, and has met regularly since then to advance the AFN's mandate to pursue changes to the CCP;

WHEREAS by Resolution 2011-12 "Indigenous Title and Rights Action" the UBCIC Chiefs Council created a voluntary UBCIC Title and Rights Working Group to work with the AFN CCP Working Group. Further, the UBCIC Chiefs Council recognized and supported specific action items of the CCP Working Group including advancing a strategy in preparation for a First Nations-Crown Gathering to address issues relating to Canada's Comprehensive Claims and Inherent Rights policies;

WHEREAS the Canada-First Nations Joint Action Plan, announced in June 2011, between Aboriginal Affairs and Northern Development Canada (AANDC) and the AFN commits to “Engage in meaningful dialogue on:...Ways to improve the negotiation and implementation of comprehensive claims”;

WHEREAS the AFN hosted three regional forums in October and November 2011, including one in Vancouver, in order to introduce the issue, seek feedback, and get direction on how to best proceed to get changes to the CCP;

WHEREAS on January 24, 2012, the Crown-First Nations Gathering (CFNG) was held in Ottawa, and the AFN CCP Working Group put forward a statement on CCP reform (attached) that was included in the meeting kits and was delivered as part of presentations during the concurrent sessions at the CFNG;

WHEREAS the CCP Working Group statement on CCP reform proposes the following actions:

1. Convene a senior table with 3 representatives each from AFN and Canada to oversee reform discussions (by February 29, 2012);
2. Establish a joint working group to set-out issues for a proposed joint framework for CCP reform (by March 31, 2012);
3. Based on confirmation of a joint framework, develop recommendations for CCP reform for presentation to the senior table (by June 2012);
4. Confirmation of reform proposal by AFN and Canada (by July 2012);

WHEREAS following the Crown-First Nations Gathering, an Outcome Statement was issued that commits to key principles and sets out immediate steps for action, including specific work to advance the June 2011 Joint Action Plan and that “the parties also commit to ensuring federal negotiation policies reflect the principles of recognition and affirmation mandated by Section 35 of the Constitution Act, 1982 and advance certainty, expeditious resolution, and self-sufficiency”;

WHEREAS it is critical that the CCP is reformed to be consistent with Canada’s Constitution and international standards, and in accordance with the principle that Aboriginal Title and Rights are best resolved by their recognition and reconciliation, not extinguishment.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports the attached statement put forward at the January 2012 Crown-First Nations Gathering with respect to advancing Comprehensive Claims Policy (CCP) reform by the Assembly of First Nations (AFN) Comprehensive Claims Policy Working Group, composed of representatives from provincial-territorial organizations across the country;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the AFN to carry out the four recommended actions contained in the attached CCP Working Group’s statement, within the AFN’s own proposed timelines;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the AFN to ensure that Canada upholds and implements commitments made with respect to improving the negotiation and implementation of comprehensive claims in both the Joint Action Plan and the Crown-First Nations Gathering Outcome Statement.

Moved: Kukpi7 Wayne Christian, Splats’in
Seconded: Chief Art Adolph, Xaxli’p First Nation
Disposition: Carried
Date: February 24, 2012