

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

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Resolutions of UBCIC 47th Annual General Assembly - September 28th - 30th, 2015 **(passed unless otherwise noted)**

- 2015-31 Adoption of 46th AGA Minutes
- 2015-32 Adoption of 2014-2015 Audited Financial Statements
- 2015-33 Development of Reconciliation Framework and Approaches
- 2015-34 Appointment to New Relationship Trust Board of Directors
- 2015-35 Indian Residential School Day Scholars Class Action
- 2015-36 Change Name of UBCIC Resource Centre to UBCIC Library and Archives
- 2015-37 Support for UBCIC Specific Claims Research Program and UBCIC Library and Archives
- 2015-38 Support for Canadian Bar Association Calls for Removal of the Specific Claims Tribunal's Registry from the Administrative Tribunals Support Service of Canada
- 2015-39 Reforming Canada's Access to Information Act
- 2015-40 Support for Williams Lake Indian Band in Upholding the Specific Claims Tribunal Decision
- 2015-41 Support for Strategy Discussions among First Nations Impacted by Tar Sands Projects and for First Nations Opposed to Energy East Pipeline and Tankers Proposal
- 2015-42 Appointment to UBCIC Resolutions Committee
- 2015-43 Recognition of Grand Chief Clarence Jules Sr.
- 2015-44 Support for the First Nations Wild Salmon Alliance to Participate in the Minister of Agriculture's Advisory Council on Finfish Aquaculture
- 2015-45 Fiscal Relations [TABLED]
- 2015-46 Commemorating UBCIC History
- 2015-47 Support for Pilalt Self-Determination regarding Pilalt Salmon Ceremony 2014
- 2015-48 Support for First Nations Leadership Council Entering into a *Protocol on the Social Determinants of Health* with the First Nations Health Council

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UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH - 30TH, 2015
x^wməθk^wəy^əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-31

RE: Adoption of 46th AGA Minutes

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly adopt the minutes of the 46^h Annual General Assembly (September 2014) as presented in the 47th Annual General Assembly kit.

Moved: Chief George Saddleman, Upper Nicola Indian Band
Seconded: Chief Margery McRae, Gitanmaax
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President

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**UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH- 30TH, 2015
xʷməθkʷəyʷəm (MUSQUEAM TERRITORY), VANCOUVER, B.C.**

Resolution no. 2015-32

RE: Adoption of 2014-2015 Audited Financial Statements

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly hereby adopt the 2014-2015 Audited Financial Statements as presented at the UBCIC 47th Annual General Assembly meeting of September 28th-30th, 2015.

Moved: Chief Janet Webster, Lytton First Nation
Seconded: Chief Harvey Paul, Sts'ailes
Disposition: Carried
Date: September 29, 2015

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Grand Chief Stewart Phillip, President

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UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH - 30TH, 2015
x^wməθk^wəy^əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-33

RE: Development of Reconciliation Framework and Approaches

WHEREAS over a year has passed since the historic and unanimous *Tsilhqot'in Nation* judgment was released on June 26, 2014, when the Supreme Court of Canada declared Aboriginal Title for the first time in Canadian history, in the homeland of the Tsilhqot'in people, sweeping aside the discriminatory justifications and arguments advanced by the Crown to deny Indigenous rights of ownership, and confirming that the *status quo* is not acceptable;

WHEREAS we are celebrating the 10th anniversary of the New Relationship Vision document that the Province and First Nations reached in 2005, which echoed the words spoken by the Supreme Court of Canada in 1997 that "We are all here to stay";

WHEREAS in advancing First Nations-provincial engagement, First Nations continue to seek full implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*, including Article 26(2), which provides that "Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired" and the requirement under Article 32(1) of "free and informed consent prior to the approval of any project affecting [our] lands or territories and other resources";

WHEREAS on August 14-15, 2014, BC Chiefs met at an All Chiefs Meeting to celebrate the *Tsilhqot'in Nation* judgment and discuss the recognition of Aboriginal Title in BC and the way forward;

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Grand Chief Stewart Phillip, President

WHEREAS First Nations leaders set out Four Principles on September 11, 2014, as the basis of recognition and reconciliation work, which the UBCIC Chiefs Council endorsed through Resolution 2015-04:

1. Acknowledgement that all our relationships are based on recognition and implementation of the existence of indigenous peoples' inherent title and rights, and pre-confederation, historic and modern treaties throughout British Columbia.
2. Acknowledgement that Indigenous systems of governance and laws are essential to the regulation of lands and resources throughout British Columbia.
3. Acknowledgement of the mutual responsibility that all of our government systems shall shift to relationships, negotiations and agreements based on recognition.
4. We immediately must move to consent based decision-making and title based fiscal relations, including revenue sharing, in our relationships, negotiations and agreements; and

WHEREAS as directed by the Chiefs, any re-engagement structure, processes, agreements, or frameworks for engagement between the Provincial Government and BC First Nations be fully informed and directly influenced by these four foundational principles;

WHEREAS concrete action, and new and creative approaches, at all levels is required - in direct government-to-government relationships, negotiations, policies, and laws, fiscal relations and decision-making;

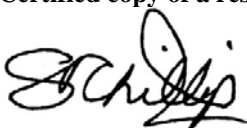
WHEREAS to help move this fundamental change forward, the First Nations Leadership Council and the Province have developed a draft proposed Commitment Document setting out a proposed joint agenda and action plan for advancing the Crown-First Nation relationship in British Columbia, and to develop a principled framework for reconciliation, including concrete actions, measures and steps, in a manner that is appropriate for a post-*Tsilhqot'in* environment;

WHEREAS the draft proposed Commitment Document sets out a clear agenda for a principled and substantive approach to a reconciliation framework and approaches that will include: vision; guiding principles; goals and objectives; partnerships and cultural understandings; processes and structures; and systemic supports: legislation, policy and other options;

WHEREAS the draft proposed Commitment Document identifies a proposed implementation and engagement process to develop a reconciliation framework and approaches, to be overseen by members of the Provincial Cabinet and the First Nations Leadership Council, including First Nations engagement, BC government engagement, business and industry engagement, federal government engagement, and public awareness and other stakeholders;

WHEREAS BC Chiefs came together on September 8, 2015, to review and consider the proposed Commitment Document drafted by a First Nations Leadership Council-BC joint working group, and made a number of suggested revisions;

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Grand Chief Stewart Phillip, President

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WHEREAS subject to further refinement of the document and clear expression of substantial commitment from the Province, the Chiefs agreed to consider formal resolutions providing direction for further engagement at the upcoming meetings of the Union of BC Indian Chiefs, First Nations Summit, and the BC Assembly of First Nations;

WHEREAS the Chiefs provided direction that work on the draft proposed Commitment Document or in development of a document setting out a reconciliation framework and approaches, must not be used by the Province in any way as an excuse to slow down or impede progress with First Nations at any of their respective negotiation tables;

WHEREAS a number of changes put forward by the Chiefs on September 8, 2015 were incorporated into the proposed draft Commitment Document, and a final draft was jointly prepared by the First Nations Leadership Council and the Province on September 25, 2015; and

WHEREAS the UBCIC Chiefs-in-Assembly considered the final draft proposed Commitment Document at their Annual General Assembly on September 28, 2015 and provided a number of further changes.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive, working jointly with the BC Assembly of First Nations and the First Nations Summit, under the auspices of the First Nations Leadership Council, to begin engagement with the Province to develop a draft document setting out a reconciliation framework and approaches, for First Nations leaders in BC to consider prior to September 2016;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to incorporate feedback provided by the UBCIC Chiefs-in-Assembly during the UBCIC AGA on September 28, 2015, into the final draft proposed Commitment Document and ensure its inclusion into the draft reconciliation framework and approaches;

THEREFORE BE IT FURTHER RESOLVED that the work on the draft reconciliation framework and approaches must not be used by the Province in any way as an excuse to slow down or impede progress with First Nations at any of their respective negotiation tables; and

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to report back to the UBCIC on progress regarding development of the draft reconciliation framework and approaches at the next UBCIC Chiefs Council on February 17-18, 2016.

Moved: Chief Jonathan Kruger, Penticton Indian Band

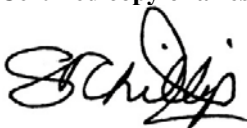
Seconded: Debbie Abbott, Skuppah Indian Band (Proxy)

Disposition: Carried

Abstentions: 16

Date: September 30, 2015

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Grand Chief Stewart Phillip, President

Compilation of UBCIC's Suggested Changes to the Proposed Commitment Document Dated Sept 25

Provided by the UBCIC Chiefs Council at the AGA (September 28th to 30th)

- Revised title of document from “BC- First Nations Proposed Commitment Document.” Purpose of revision is to clarify that the current document is the commitment document, and it is proposing future development of reconciliation framework and approaches. Revised title also includes the date. Revised title reads:
 - “BC- First Nations Commitment Document: Proposal to Develop Reconciliation Framework and Approaches (September 25, 2015)”
- Added in new paragraph at the bottom of p. 3, taken from the FNLC Terms of Reference, sections 1.1 and 1.9 to provide explicit clarity on the FNLC mandate. New paragraph reads:
 - The First Nations Leadership Council are guided by a Terms of Reference, which recognize that Aboriginal Title, Rights and Treaty Rights are held at the Nation Level. Each Nation has the authority to make decisions to suit the unique circumstances of their particular Nation and the right to a government-to-government relationship with the Crown. Individual Nations are the proper Aboriginal Title, Rights and Treaty Rights holders.
- P. 4- changed “Crown-First Nations relationship” to “government-to-government relationship”
- P. 4- added the Four Principles as a building block for the document that will be developed. Revised paragraph reads:
 - Guiding principles for reconciliation, building from those set out in the New Relationship and the Four Principles. It is anticipated this will include or reflect principles about the relationship and reconciliation as articulated by the courts, as well as principles agreed to in political accords to date in BC between the Province and First Nations (e.g. *Tsawwassen Accord*, *Transformative Change Accord*).
- P. 4- took out the header “4. partnerships and cultural understandings” so that the content from that section is included under the header “3. goals and objectives”. Also took out the example of industry as possible place for partnerships and cultural understandings beyond First Nations and the Crown.
- P. 6- revised sentence in lessons learned section to include reference to “government-to-government work”. Revised sentence reads:
 - the respective government-to-government work that First Nations and Crown governments must do to effect a transformation in relations
- p.7- under “proposed implementation and engagement process,” added clarity to Joint Core Working Group. Revised sentence reads:

- A Joint Core Working Group will be established to undertake this work in accordance with this proposed commitment document, recognizing that any government-to-government to relationship is between individual Nations and the Crown.
- P.7- Under “First Nations Engagement,” , add a new bullet to the top of the list for what the FNLC proposes as the processes for First Nations engagement to clarify that government-to-government engagement with First Nations is a critical form of engagement. New bullet reads:
 - Government-to-government engagement available to all First Nations.
- P.7- under “First Nations Engagement,” revise second bullet for clarity that report out must occur on or before 6 months after the work begins. Revised sentence reads:
 - Two All Chiefs Assemblies, in addition to regularly scheduled BCAFN, UBCIC and FNS assemblies, with an update provided on or before 6 months after the work begins;
- P. 9- in second paragraph, added clarity that relationship between First Nations and the Provincial Crown is government-to-government. Revised sentence reads:
 - Consideration will be given to finding ways to raise public awareness and understanding of the unique and important nature of the government-to-government relationship between First Nations and the Provincial Crown.

British Columbia – First Nations

~~Proposed~~ Commitment Document: Proposal to Develop Reconciliation Framework and Approaches September 25, 2015

We are all here to stay.

These are the words spoken by the Supreme Court of Canada in 1997, and the starting words of our mutual acknowledgement in the New Relationship vision document, developed in 2005.

Ten years later, we find ourselves with new circumstances and new opportunities informing this relationship. We are experiencing changes on the landscape of social issues, lands and resources, the economy, technology and case law such as the *Tsilhqot'in* decision.

Over the past ten years, we have experienced both successes and challenges. Many strong relationships have been built between the Province and First Nations through agreements and community initiatives, which have supported First Nations to strengthen their communities and culture and have led to partnerships in economic development. However, there is still much work to be done. We have yet to come to a common understanding of what it means to engage in a government-to-government relationship based on recognition of aboriginal title and rights as is evidenced by our different perspectives on the Four Principles which were presented by Chiefs to the Province for endorsement at the inaugural September 2014 BC Cabinet-First Nations Gathering.

Maintaining the *status quo* is not an option. Acknowledging our challenges and building on our successes from the past ten years, it is critical that we find a way forward with real and concrete actions so we can together build a bright future for our children.

Commitment

We remain committed to a “government-to-government relationship based on respect, recognition and accommodation of aboriginal title and rights” and to the “reconciliation of Aboriginal and Crown titles and jurisdictions”, as we agreed in the New Relationship.

As articulated by the Supreme Court of Canada, reconciliation of pre-existing Aboriginal societies with the assertion of Crown sovereignty is an imperative set out in section 35 of the *Constitution*

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Act, 1982. The section 35 framework permits a principled reconciliation of Aboriginal rights with the interests of all Canadians. The courts have provided some guidance on how to advance reconciliation, but have encouraged the Crown governments and First Nations to work out the details of advancing reconciliation on the ground. Aboriginals and non-Aboriginal people are “all here to stay” and must of necessity move forward in a process of reconciliation.

We commit to jointly design a creative, constructive, pragmatic and organized approach to giving life to the section 35 framework in British Columbia, with tangible milestones to demonstrate progress.

Reconciliation is a journey. There is a multitude of ways to express what reconciliation means, and how it may be achieved through ongoing processes. The following are examples of the many articulations and dimensions of reconciliation:

“Reconciliation requires constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on Aboriginal peoples’ education, cultures and languages, health, child welfare, the administration of justice, and economic opportunities and prosperity.” (Truth and Reconciliation Commission, 2015)

“Reconciliation must create a more equitable and inclusive society by closing the gaps in social, health, and economic outcomes that exist between Aboriginal and non-Aboriginal Canadians.” (Truth and Reconciliation Commission, 2015)

“Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith...” (UNDRIP)

“As Delgamuukw explains, the process of reconciling Aboriginal interests with the broader interests of society as a whole is the raison d’être of the principle of justification. Aboriginals and non-Aboriginals are “all here to stay” and must of necessity move forward in a process of reconciliation (para. 186).” (SCC, Tsilhqot’in, para. 82)

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"What is at stake is nothing less than justice for the Aboriginal group and its descendants, and the reconciliation between the group and broader society." (SCC, ~~Tsilhqot'in~~ Tsilhqot'in, para. 23)

We acknowledge there is a need for - and commit to jointly developing, advancing and implementing - additional concrete actions and creative approaches that better reflect our circumstances today, and which support reconciliation and this government-to-government relationship.

The process used to shape and develop our work moving forward must be inclusive, open, transparent and timely. Specifically, it is proposed that the engagement process:

- must provide for effective and informed input from First Nations leaders and communities;
- will engage all levels of the BC Government;
- will include business, industry and advocacy groups; and
- will include the Government of Canada.

Joint Agenda: Core Elements of the Work

The Province and the First Nations Leadership Council (BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs) (the "FNLC") have developed the following proposed joint agenda and action plan for advancing the Crown-First Nation relationship in British Columbia and to come up with a principled framework for reconciliation, including concrete actions, measures and steps, in a manner that is appropriate for a post-*Tsilhqot'in* environment, and with a clear timeline that identifies tangible progress.

The First Nations Leadership Council are guided by a Terms of Reference, which recognize that Aboriginal Title, Rights and Treaty Rights are held at the Nation Level. Each Nation has the authority to make decisions to suit the unique circumstances of their particular Nation and the right to a government-to-government relationship with the Crown. Individual Nations are the proper Aboriginal Title, Rights and Treaty Rights holders.

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It is envisioned that this work will achieve a principled and substantive approach to reconciliation that will include:

1. Vision

A joint updated vision for the ~~Crown-First Nations~~government-to-government relationship in British Columbia, which builds from New Relationship, in the context of social issues, lands and resources and the economy. The vision may also reflect on the role of the Government of Canada.

2. Guiding principles

Guiding principles for reconciliation, building from those set out in the New Relationship and the Four Principles. It is anticipated this will include or reflect principles about the relationship and reconciliation as articulated by the courts, as well as principles agreed to in political accords to date in BC between the Province and First Nations (e.g. *Tsawwassen Accord*, *Transformative Change Accord*).

3. Goals and objectives

Mutual and respective goals and objectives for reconciliation, and associated actions, measures and steps. It is anticipated these would include achieving predictability and stability in the economy, and closing the socio-economic gap that persists between First Nations and non-First Nations.

~~4. Partnerships and Cultural Understandings~~

Measures to build partnerships and strengthen cultural understandings between First Nations and the Crown, as well as with others ~~(e.g. industry)~~. The objective of advancing and achieving reconciliation is not an issue limited to the Crown and First Nations. It is an imperative of society as a whole and there are many potential partners to help successfully achieve this objective.

~~5.4.~~ Processes and structures

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Action with regard to:

- a. Identifying and establishing new institutions, processes, and structures to support or facilitate reconciliation efforts;
- b. Designing new negotiation and dispute resolution approaches;
- c. Supporting First Nations capacity and governance development; and
- d. Determining and advancing strategies and actions to ensure the Government of Canada fulfills the federal Crown's obligations.

6.5 Systemic Supports: Legislation, Policy and Other Options

Concrete legislative, policy or other options and ideas for facilitating and supporting an improved and constructive relationship. These may initially focus on key legislation, policies or practices that have given rise to conflict in the relationship (e.g. environmental assessment, online mineral staking). It is anticipated that options will include a process for improved and effective engagement on the collaborative development of new legislation, policies and practices, or reform of existing ones.

Themes to Address

The work will require dialogue about a number of key themes, including:

Reconciliation and Recognition – Aboriginal rights and title exists in British Columbia. First Nations, the Province and Canada must find ways to reconcile our respective jurisdictions, governance, laws and responsibilities.

Strengthening the Economy – Having a strong and resilient economy is a shared interest and is critical to our mutual success. First Nations must be full partners in economic development and growth.

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Lands and Resources – Aboriginal people have a unique connection to the land and resources in British Columbia and sustainable resource development is a key component of British Columbia's economy. Collaborative environmental stewardship can ensure our lands and resources are used sustainably and into the future.

Social and Economic Gaps – Closing the social and economic gap between Aboriginal peoples and other British Columbians to achieve healthy and strong Aboriginal communities is a shared objective and priority.

Advancing Successful Negotiations – Negotiation offers a path to collaboration and finding creative ways to address our respective interests, and the preferable path to reconciliation.

In addressing these themes, the work should reflect upon and consider lessons learned since 2005, including:

- progress and opportunities that have been made;
- a frank assessment of what has and has not worked;
- the implications, challenges, and opportunities for implementing the principles and standards of *Tsilhqot'in* across British Columbia, including recognizing the proper Title and Rights holders;
- the respective **government-to-government** work that First Nations and Crown governments must do to effect a transformation in relations; and
- reflect on strengths and how to address gaps in the relationships.

Acknowledging that a large body of work already exists and should be built upon moving forward, the work should consider relevant materials including the following:

- New Relationship Vision;
- Transformative Change Accord;
- The Supreme Court of Canada's decision in *Tsilhqot'in* and other jurisprudence;
- The Four Principles developed by First Nations Chiefs in 2014;
- The strategic objectives of the Premier and Cabinet;
- The *United Nations Declaration on the Rights of Indigenous Peoples*;

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- Truth and Reconciliation Commission Reports;
- Recognition Working Group materials;
- Recognition and Reconciliation legislative initiative;
- All Chiefs Task Force Report (2009);
- Materials developed by the Union of BC Indian Chiefs, First Nations Summit, and BC Assembly of First Nations that inform the development of a reconciliation framework, and movement to a post-*Tsilhqot'in* environment;
- Royal Commission on Aboriginal Peoples Report;
- First Nations Leadership Council report on shared territories and overlaps;
- Industry and business reports and publications;
- Government reports and publications.

Proposed Implementation & Engagement Process

The implementation of this joint agenda will be overseen by the Members of the Provincial Cabinet and the FNLC, who will jointly determine milestones/timelines to be met, as informed by input gathered through the engagement process.

A Joint Core Working Group will be established to undertake this work in accordance with this proposed commitment document, recognizing that any government-to-government to relationship is between individual Nations and the Crown.

We recognize that meaningful engagement and information sharing will be critical in making progress in the coming year. We commit to developing a joint engagement workplan that is based on an inclusive, open, transparent and timely process.

First Nations Engagement

The FNLC proposes the following processes for First Nations engagement:

- Government-to-government engagement available to all First Nations;
- Two All Chiefs Assemblies, in addition to regularly scheduled BCAFN, UBCIC and FNS assemblies, with an update provided on or before 6 months after the work begins;

UBCIC Revisions from September 30th AGA

- Team/working group to present in any Nation;
- Regional sessions; and
- First Nations Organizations (sectoral councils);
- Legal advisory team (to which any First Nation can send a representative).

BC Government Engagement

The Premier and Cabinet provide the policy direction of Government and will be informed by:

- Policy and legal working group to include and encourage advice from cross-government; and
- Premier's office involvement and linkage to core working group.

The following components are engagement pieces that will be approached jointly:

Business and Industry Engagement

The engagement process will create diverse opportunities for outreach and engagement with business and industry. Engagement with business and industry will occur through existing associations and groups including Business Council of British Columbia, sector associations such as Clean Energy BC, Mining Association of BC, AME-BC, COFI, etc. Engagement may take a variety of forms including dialogue sessions, presentations, written, etc and may be joint or bilateral.

Federal Government Engagement

The Federal **G**overnment has a critical role to play in reconciliation and engaging on a Nation-to-Nation basis with BC First Nations. The FNLC and Province of BC agree that it's important to jointly approach the Federal Government and ensure the Federal **G**overnment fulfills the federal Crown's obligations.

Public Awareness and Other Stakeholders

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We jointly agree there will be other relevant stakeholders such as social service agencies that may want input and information regarding this work. This will be considered as part of the overall engagement workplan.

Consideration will be given to finding ways to raise public awareness and understanding of the unique and important nature of the government-to-government relationship between First Nations and the Provincial Crown.

Decision-Making and Reporting Out

The actions in this proposed Commitment Document now form the agenda for the coming year between First Nations Leadership Council and the Province, with milestones/timelines to be jointly determined, and informed by input from the engagement process, as a priority step. It is proposed that the Province be represented by members of the BC Cabinet. This will include an Annual meeting on progress to include the Premier.

A formal report out will occur at the next annual BC Cabinet First Nations Leaders Gathering in September 2016, with other reporting as set out in the proposed Implementation and Engagement Process.

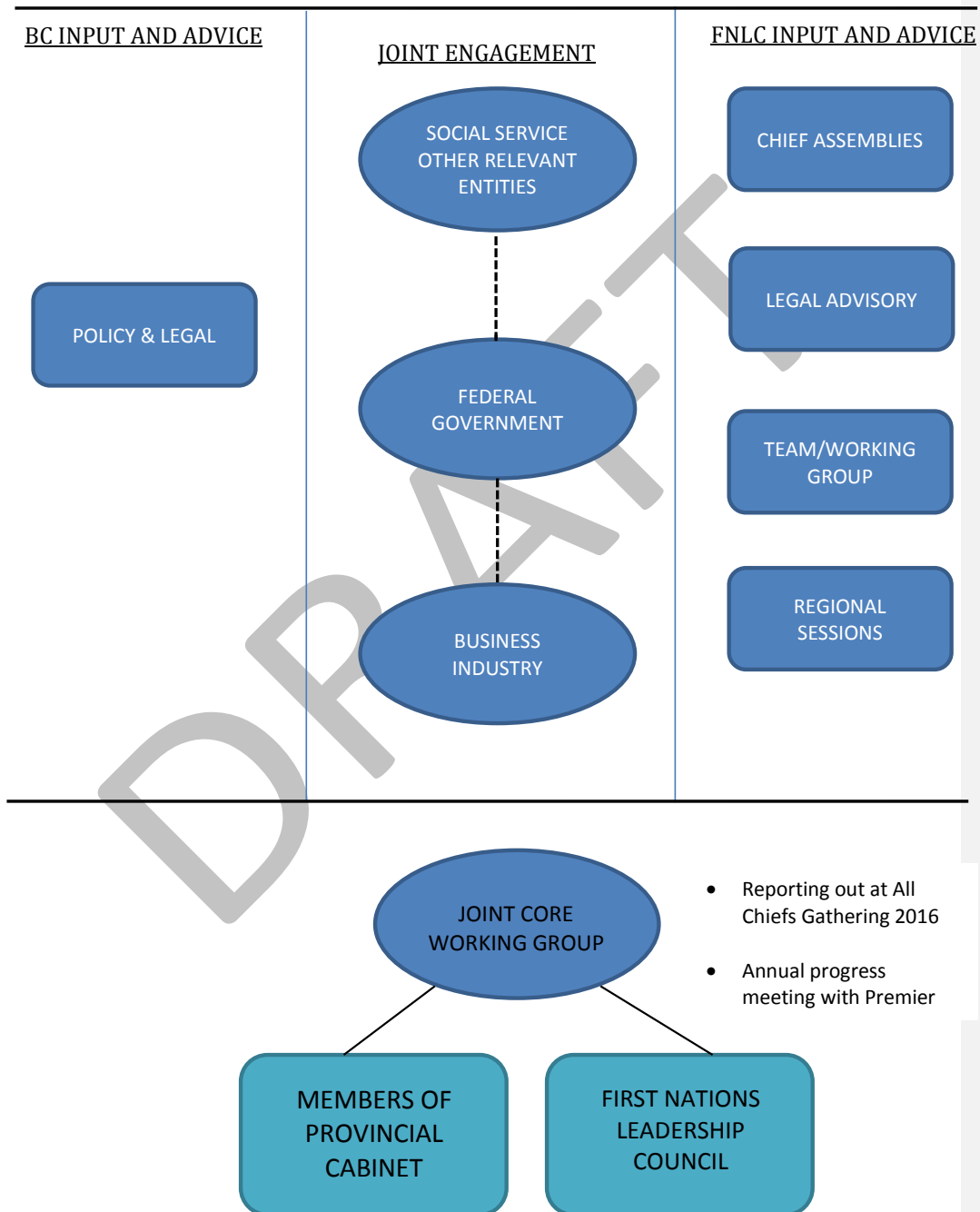
Province commits to resourcing the joint work and engagement process.

A proposed engagement and reporting structure is attached.

Ratification processes will be implemented as appropriate.

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ENGAGEMENT WORKPLAN:



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UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH - 30TH, 2015
xʷməθkʷəyəm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-34

RE: Appointment to New Relationship Trust Board of Directors

WHEREAS the \$100 million New Relationship Trust (NRT) was established in March 2006 by the *New Relationship Trust Act*;

WHEREAS the *New Relationship Trust Act* was amended through the *Miscellaneous Statutes Amendment Act 2012*, to extend the terms of the directors of the New Relationship Trust from two years to three years, and to implement rolling terms;

WHEREAS the UBCIC may appoint one (1) representative to the NRT Board of Directors;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* states in Article 18 that "Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions";

WHEREAS by Resolution 2012-57 the UBCIC Chiefs Council appointed George Saddleman, Upper Nicola Indian Band, to serve as the UBCIC Representative to the New Relationship Trust Board of Directors for the three-year term beginning December 1, 2012 to November 30, 2015;

WHEREAS the UBCIC Elections Procedures, adopted February 28, 2013, set out policy to standardize the appointment of representatives of the UBCIC to various councils, boards, committees or similar bodies where individuals are asked to represent the UBCIC;

Certified copy of a resolution adopted on the 30th day of September of 2015 in xʷməθkʷəyəm

Grand Chief Stewart Phillip, President

WHEREAS the UBCIC circulated notice seeking application for one (1) representative to the New Relationship Trust Board of Directors, for a three-year term beginning December 1, 2015 to November 30, 2018, to be chosen in accordance with the UBCIC Elections Procedures; and

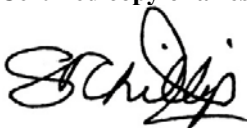
WHEREAS UBCIC received one (1) application from Chief Byron Louis, Okanagan Indian Band, for the position of UBCIC representative to the New Relationship Trust Board of Directors, and the UBCIC Electoral Officer provided notice that Chief Byron Louis was acclaimed to the position.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly appoint Chief Byron Louis, Okanagan Indian Band, to serve as the UBCIC representative to the New Relationship Trust Board of Directors for the three-year term beginning December 1, 2015 to November 30, 2018; and

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly ask that Chief Byron Louis provide updates to the UBCIC Chiefs Council as deemed necessary.

Moved: Chief Maureen Chapman, Skawahlook
Seconded: Chief Janet Webster, Lytton First Nation
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President

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UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH - 30TH, 2015
x^wməθk^wəy^əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-35

RE: Indian Residential School Day Scholars Class Action

WHEREAS the Union of BC Indian Chiefs (UBCIC) supports just compensation for all Residential School Survivors, including Day Scholars and Day Students;

WHEREAS students who attended Residential School during the day, but did not live at the Schools ("Day Scholars") were not eligible for the Common Experience Payment ("CEP") created by the Indian Residential School Settlement Agreement;

WHEREAS Day Scholars were subjected to the same Residential School Policy as those students who lived in Residence, and suffered losses as a result of this Policy;

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

Article 8.1: Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

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.
- b) Any action which has the aim of or effect of dispossessing them of their lands, territories or resources.
- 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.

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- e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them;

WHEREAS Gottfriedson et.al vs. HMTQ (the “Day Scholar Class Action”) was certified on June 3, 2015;

WHEREAS the Federal Court certified the Survivors Class as being made up of all Aboriginal persons who attended as students for Educational purposes for any period of time, between 1920 – 1997, excluding any periods of time for which that person(s) may have received the CEP under the Indian Residential School Settlement Agreement;

WHEREAS the Federal Court certified the Descendant Class as being made up of the first generation of persons descended from Survivor Class members or persons who were legally or traditionally adopted by a Survivor Class member or their spouse;

WHEREAS the Federal Court certified the Band Class as the Tk’emlups te Secwépemc Indian Band and the Sechelt Indian Band which:

- i. has or has had some members who were members of the Survivor Class; or in whose Community a Residential School is located; and
- ii. had specifically identified Residential Schools;

WHEREAS the lawsuit is focused on the loss of language and loss of Culture and consequential harms to individuals and the Band Communities as a result of the Government of Canada’s Residential School Policy;

WHEREAS the Federal Court has mandated a time period; up to November 30, 2015 for the Survivor Class to Opt Out of the Law suit;

WHEREAS the Federal Court has mandated a time period up to February 29, 2016 for the Band Class, and the Bands to Opt In to the Law suit; and

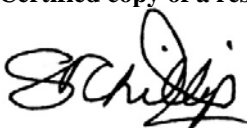
WHEREAS the UBCIC has continuously supported the Day Scholars (who were omitted from the Indian Residential School Settlement Agreement); and supported the Day Scholar Class Action through Resolutions 2010-34 and 2011-38.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly fully support the Day Scholar Class Action and direct the UBCIC Executive to provide political support as requested; and

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to write a letter to the Federal Government of Canada requesting an expeditious, fair and just negotiation resolution to the Day Scholar Class Action.

Moved: Ed Jensen, Tk’emlúps te Secwepemc (Proxy)
Seconded: Art Anthony, Neskonlith Indian Band (Proxy)
Disposition: Carried
Date: September 30, 2015

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Resolution no. 2015-36

RE: Change Name of UBCIC Resource Centre to UBCIC Library and Archives

WHEREAS the Union of BC Indian Chiefs (UBCIC), a designated Claims Research Association is mandated to conduct specific claims research on behalf of British Columbia First Nations; to encourage high standards in claims preparation and land rights research; and to promote research excellence and support land rights research education in British Columbia's Aboriginal communities;

WHEREAS under the direction of the Research Department, the UBCIC Resource Centre provides library and reference services to all First Nation community researchers; research support and reference services to the UBCIC Research Department and all other UBCIC staff; and endeavors to increase access to its holdings by providing online digital collections and document delivery services;

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

Article 8(2): States shall provide effective mechanisms for prevention of, and redress for... (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which then 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;

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Grand Chief Stewart Phillip, President

WHEREAS the UBCIC Chiefs Council has endorsed the UBCIC Resource Centre's Mandate, Collections Development Policy, Ethical Research Policy, Archival and Library Preservation Policy, and the use of *The Protocols for Native American Archival Materials*;

WHEREAS the UBCIC Resource Centre has, in the last 10 years expanded its collections by over 10,000 books, created new digital and in-house collections, developed a unique and relevant cataloguing system, developed its archives and created an archival gallery to showcase its collections – making it the premier Indigenous Library and Archives in Western Canada; and

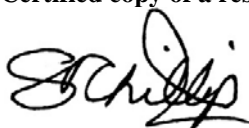
WHEREAS recognition of the UBCIC Resource Centre's achievements and status as the premier Indigenous Library and Archives in Western Canada will raise the profile and elevate the standing of the Resource Centre and create new funding and partnership opportunities.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly reaffirm their commitment for the UBCIC Specific Claims Research Program and Resource Centre to serve all First Nation communities by providing community outreach in the form of regular workshops, conferences, research assistance, facilitating access to materials, information sharing, updates concerning federal and provincial legislation and access procedures, publishing manuals and other activities as communities request; and

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly direct the name of the UBCIC Resource Centre to be changed to the UBCIC Library and Archives to better reflect its current status.

Moved: Chief Maureen Chapman, Skawahlook
Seconded: Debbie Abbott, Skuppah Indian Band (Proxy)
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President

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Resolution no. 2015-37

RE: Support for UBCIC Specific Claims Research Program and UBCIC Library and Archives

WHEREAS the Union of BC Indian Chiefs (UBCIC), a designated Claims Research Association, is mandated to conduct specific claims research on behalf of British Columbia First Nations; to encourage high standards in claims preparation and land rights research; and to promote research excellence and support land rights research education in British Columbia's Aboriginal communities;

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

Article 8(2): States shall provide effective mechanisms for prevention of, and redress for... (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which then 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;

WHEREAS the UBCIC Specific Claims Research Program has been operating since the early 1970s conducting band-directed research, technical studies and legal analysis for First Nations communities throughout BC;

WHEREAS the UBCIC Specific Claims Research Program provides its services at no cost to all First Nations in British Columbia and carries them out with a continuity of expertise;

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Grand Chief Stewart Phillip, President

WHEREAS under the direction of the Research Department, the UBCIC Library and Archives provides library and reference services to community researchers; research support and reference services to the UBCIC Research Department and all other UBCIC staff; and endeavors to increase access to its holdings by providing online digital collections and document delivery services;

WHEREAS the UBCIC Chiefs Council has endorsed the UBCIC Library and Archives' Mandate, Collections Development Policy, Ethical Research Policy, Archival and Library Preservation Policy, and the use of *The Protocols for Native American Archival Materials*;

WHEREAS the UBCIC Specific Claims Research Program and Library and Archives are committed to providing community outreach in the form of regular workshops, conferences, research assistance, facilitating access to materials, information sharing, updates concerning federal and provincial legislation and access procedures, publishing manuals and other activities as communities request;

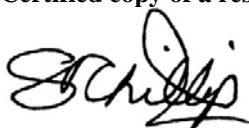
WHEREAS the UBCIC Research Department and Library and Archives seek support, partnerships and funding to undertake community outreach and education endeavors;

WHEREAS the UBCIC Chiefs Council and Chiefs-in-Assembly have confirmed their support for the UBCIC Specific Claims Research Program and UBCIC Library and Archives through previous Resolutions (2014-19; 2005-06; 2007-11; 2010-57; 2011-64; 2008-44, 2007-46, 2007-13, 2005-07, 2004-02, 2004-01, 2003-08);

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly fully support the continued work of the UBCIC Specific Claims Research Program and the UBCIC Library and Archives.

Moved: Chief Kevin Whitney, T'tit'q'et First Nation
Seconded: Chief Dalton Silver, Sumas First Nation
Disposition: Carried
Date: September 30, 2015

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Resolution no. 2015-38

RE: Support for Canadian Bar Association Calls for Removal of the Specific Claims Tribunal's Registry from the Administrative Tribunals Support Service of Canada

WHEREAS the Government of Canada introduced its Specific Claims Action Plan: *Justice At Last* on June 12, 2007 to "ensure impartiality and fairness, greater transparency, faster processing and better access to mediation" for specific claims, resulting in new legislation, the *Specific Claims Tribunal Act* ("SCTA"), which came into force on October 16, 2008;

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

Article 8(2): States shall provide effective mechanisms for prevention of, and redress for... (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

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

Article 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired;

WHEREAS Section 10 of the *Specific Claims Tribunal Act* (SCTA) established:

(1) There shall be a Registry of the Tribunal consisting of an office in the National Capital Region described in the schedule to the [National Capital Act](#).

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Grand Chief Stewart Phillip, President

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- (2) The registrar and any staff that is required for the proper conduct of the work of the Tribunal shall be appointed in accordance with the [*Public Service Employment Act*](#);
- (3) The registrar is responsible for the management of the Tribunal's administrative affairs and the duties of the staff of the Tribunal;

And Section 12 of the SCTA established that Tribunal judges have the power to make rules regarding Tribunal and Registry staff a cornerstone of Tribunal independence;

WHEREAS as part of the Harper Government's omnibus budget legislation in 2014, the *Administrative Tribunals Support Service of Canada Act* (ATSSCA) was passed in November 2014 without consultation with impacted Indigenous Nations, to consolidate corporate, registry and core mandate services to various federal tribunals, including the Specific Claims Tribunal;

WHEREAS the ATSSCA unilaterally repealed provisions in the SCTA that created an independent Specific Claims Tribunal Registry and instead subsumed SCT registry services into an umbrella service (ATSSC) that reports to the Department of Justice;

WHEREAS the Canadian Bar Association passed Resolution 15-02-A "Independence of the Specific Claims Tribunal" (attached) calling for:

"the federal government to reaffirm its unqualified support for the independence of the Specific Claims Tribunal, by adequately staffing and resourcing it on an ongoing basis, restoring a dedicated registry to support the Tribunal and removing the Tribunal from the operations of the *Administrative Tribunals Support Service of Canada Act*;

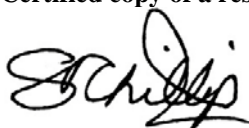
WHEREAS in numerous submissions, reports and media releases the Union of BC Indian Chiefs (UBCIC) has repeatedly called in the Harper Government to ensure fairness, timeliness, transparency and adequate resourcing in the process to resolve specific claims including ensuring the an independent and fully resourced Tribunal and a dedicated Tribunal registry; and

WHEREAS it is essential that the independence and resourcing of the Specific Claims Tribunal be ensured since:

- 1) Canada has effectively abandoned the commitments it made in *Justice At Last* to resolve specific claims fairly through meaningful negotiations;
- 2) Canada has undermined the stated objectives of fair, impartial and timely resolution of claims to promote meaningful First Nations-Crown reconciliation by under resourcing First Nations to advance their claims;
- 3) Canada has repeatedly attacked the independence of the Tribunal by under-resourcing and under-staffing the Tribunal, by challenging Tribunal decisions, and by removing the statutorily established Tribunal Registry.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly fully support the Canadian Bar Association's efforts to ensure the independence of the Specific Claims Tribunal and their call for the Tribunal Register to be fully restored to its former, independent state; and

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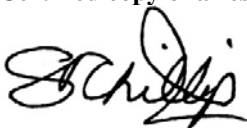


Grand Chief Stewart Phillip, President

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly call on the Harper Government to fulfill its commitments to resolve specific claims through negotiations in a fair, just and timely manner.

Moved: Debbie Abbott, Skuppah Indian Band (Proxy)
Seconded: Chief Dalton Silver, Sumas Indian Band
Disposition: Carried
Date: September 30, 2015

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A handwritten signature in black ink, appearing to read "Stewart Phillip", is written over a horizontal line.

Grand Chief Stewart Phillip, President

2015-38
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Independence of the Specific Claims Tribunal

WHEREAS the *Specific Claims Tribunal Act* was enacted in 2008, establishing the Specific Claims Tribunal charged with addressing systemic problems in resolving First Nations' historic claims against Canada;

WHEREAS the fundamental purpose of the Tribunal is to allow historic claims to be adjudicated by independent superior court judges without regard to any rule or doctrine that might limit claims or prescribe rights against Canada because of the passage of time or delay;

WHEREAS a special facility was built to house the Tribunal, including a smudging room and offices for designated administrative staff;

WHEREAS the *Administrative Tribunals Support Service of Canada Act* was passed

Indépendance du Tribunal des revendications particulières

ATTENDU QUE la *Loi sur le Tribunal des revendications particulières*, édictée en 2008, établit le Tribunal des revendications particulières, qui a comme mandat de se pencher sur les problèmes systémiques dans le cadre du règlement des revendications de longue date des Premières Nations contre le Canada;

ATTENDU QUE l'objectif fondamental du Tribunal est de permettre à des juges indépendants de cours supérieures de statuer sur les revendications de longue date sans tenir compte de règles ou théories qui ont eu pour effet de limiter un recours ou de prescrire des droits contre le Canada en raison de l'écoulement du temps ou d'un retard;

ATTENDU QU'une installation spéciale a été construite pour abriter le Tribunal, qui comprend une salle pour les cérémonies de purification spirituelle, ainsi que des bureaux pour le personnel administratif désigné;

ATTENDU QUE la *Loi sur le Service canadien d'appui aux tribunaux*

in November 2014, to consolidate corporate, registry and core mandate services to various federal tribunals, including the Specific Claims Tribunal;

WHEREAS the CBA warned the federal government that loss of administrative and judicial independence would be a likely result, and that loss would be particularly critical for bodies with an independent judicial function, like the Specific Claims Tribunal;

WHEREAS the Tribunal already faces constrained resources, including a minimal number of sitting judges, undermining its ability to fulfill its mandate;

WHEREAS further rationing of Tribunal resources through consolidated support services threatens the Tribunal's ability to expedite cases;

BE IT RESOLVED that the Canadian Bar Association urge the federal government to reaffirm its unqualified support for the independence of the Specific Claims

administratifs a été adoptée en novembre 2014 dans le but de consolider les services généraux, les services du greffe et les services liés au mandat de base de plusieurs tribunaux fédéraux, y compris le Tribunal des revendications particulières;

ATTENDU QUE l'ABC a mis en garde le gouvernement fédéral de la perte d'indépendance administrative et judiciaire qui en résulterait vraisemblablement, et que cette perte serait tout particulièrement importante pour les entités exerçant une fonction judiciaire indépendante, comme le Tribunal;

ATTENDU QUE le Tribunal est déjà aux prises avec des ressources limitées, dont un nombre restreint de juges qui y siègent, ce qui mine sa capacité d'exécuter son mandat;

ATTENDU QUE le fait de restreindre davantage les ressources du Tribunal en regroupant les services de soutien porte atteinte à la capacité du Tribunal de traiter rapidement les affaires portées devant ce dernier;

QU'IL SOIT RÉSOLU QUE l'Association du Barreau canadien exhorte le gouvernement fédéral à réaffirmer son appui indéfectible vis-à-vis de l'indépendance du

Resolution 15-02-A

Tribunal, by adequately staffing and resourcing it on an ongoing basis, restoring a dedicated registry to support the Tribunal and removing the Tribunal from the operations of the *Administrative Tribunals Support Service of Canada Act*.

Certified true copy of a resolution carried by the Council of the Canadian Bar Association at the Annual Meeting held in Calgary, AB August 13, 2015.

Résolution 15-02-A

Tribunal des revendications particulières, en le dotant en permanence d'un personnel et de ressources convenables, en remettant en place un greffe spécialisé afin d'appuyer le Tribunal et en retirant le Tribunal de l'application de la *Loi sur le Service canadien d'appui aux tribunaux administratifs*.

Copie certifiée d'une résolution adoptée par le Conseil de l'Association du Barreau canadien, lors de son Assemblée annuelle, à Calgary, AB le 13 août 2015.

**John D.V. Hoyles
Chief Executive Officer/Chef de la direction**

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Resolution no. 2015-39

RE: Reforming Canada's Access to Information Act

WHEREAS the core principles of the Union of BC Indian Chiefs (UBCIC) include the right to knowledge and a steadfast commitment to information sharing to strengthen the abilities of Indigenous Peoples in our collective efforts to implement, exercise and secure recognition of our inherent Rights, Title, and Treaty Rights, and in so doing safeguard our lands and resources;

WHEREAS the right to knowledge, information sharing and full access to information from public bodies in Canada are integral to Indigenous Peoples' demands for and pursuit of justice, including justice for Indigenous women, children and families, securing safe and affordable housing in our communities, and in developing and implementing Indigenous models of education;

WHEREAS the right to know and obtain access to information from public bodies in Canada is a fundamental component of Indigenous Peoples' efforts to resolve historical land rights grievances, such as specific claims;

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

Article 8(2): States shall provide effective mechanisms for prevention of, and redress for... (b) 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 and adjudicate

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Grand Chief Stewart Phillip, President

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;

Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which then 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;

WHEREAS the UBCIC's policy advisors, analysts and Research Department staff regularly rely upon the federal Access to Information Act to obtain necessary records in the course of their work on behalf of Indigenous Nations and communities in British Columbia;

WHEREAS since 2006 the Government of Canada, under the leadership of Stephen Harper, despite coming to power on a platform of openness, transparency and accountability, and in direct contradiction to its Action Plan on Open Government, has actively and systematically restricted access to information regarding government activities, communications and policies as part of larger pattern of conduct, which the Declaration of the Voices-Voix Coalition (attached), a non-partisan coalition of concerned Canadian citizens and organizations, notes has resulted in:

1. The undermining of democratic institutions and practices;
2. The erosion of protections of free speech;
3. The silencing of voices of organizations and individuals who raise concerns about government policies or disagree with government positions;
4. Canada's weakened international standing as a leader in human rights protection;

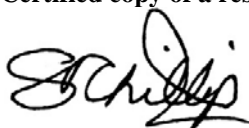
WHEREAS Canada's access to information regime and the current Access to Information Act are insufficient means of ensuring government transparency and accountability and safeguarding citizens' rights to know due to serious problems including:

1. Understaffing resulting in unacceptable delays in obtaining information;
2. Discretionary powers to withhold information given the broad application of the exceptions to disclosure under the Act;
3. Lack of power given to the Office of the Information Commissioner to make orders for the release of information;

WHEREAS these problems have made it increasingly difficult for UBCIC staff to carry out its work and hold government accountable regarding those issues listed above that are of fundamental importance to UBCIC member communities and Indigenous Peoples in BC; and

WHEREAS a number of organizations and coalitions are currently demanding the Government of Canada confront the climate of secrecy and the erosion of democracy that has transformed Canada since 2006 and engage in a comprehensive process of consultation and review of the existing Access to Information Act, highlighting a number of key reforms, including:

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1. Strengthening the Office of the Information Commissioner (OIC) by granting the IC order-making power and expanding its mandate to include promoting the right to information;
2. Eliminating loopholes for the release of information such as the number of exceptions that currently apply under the Act;
3. Expanding the scope of the Act to apply to all public authorities, including ministers' offices and the Prime Minister's Office and Cabinet;
4. Requiring public officials to document and preserve records of their communications and decision-making regardless of format.

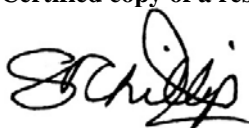
THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly fully support the reforms to the federal Access to Information Act listed above;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly authorize UBCIC staff to participate in or make formal submissions to any future review of the federal Access to Information Act conducted by the Government of Canada or by an independent coalition; and

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs-in-Assembly will lend support and authorize UBCIC staff to work in conjunction with like-minded organizations committed to reforming the federal Access to Information Act to secure the right to information for Indigenous Peoples.

Moved: Chief Mike LeBourdais, Whispering Pines Indian Band
Seconded: Chief Maureen Chapman, Skawahlook
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President



DECLARATION OF THE VOICES - VOIX COALITION

Since 2006 the Government of Canada has systematically undermined democratic institutions and practices, and has eroded the protection of free speech, and other fundamental human rights. It has deliberately set out to silence the voices of organizations or individuals who raise concerns about government policies or disagree with government positions. It has weakened Canada's international standing as a leader in human rights. The impact and consequences for the health of democracy, freedom of expression, and the state of human rights protection in Canada are unparalleled.

Organizations that disagree with the Government's positions and/or engage in advocacy have had their mandates criticised and their funding threatened, reduced or discontinued. In many cases these organizations have a long history of service to the public, such as KAIROS, MATCH International, the Canadian Council for International Cooperation, Alternatives, the Climate Action Network, the Canadian Arab Federation, the National Association of Women and the Law and the Canadian Research Institute for the Advancement of Women. The Court Challenges Program, which funded many human-rights cases, has had its mandate drastically reduced. The Women's Program at Status of Women Canada now effectively excludes many women's groups that conduct research and work to advance women's equality and participation in society.

Individuals have been personally sanctioned in response to their efforts to defend democratic and human rights principles. Linda Keen, President of the Canadian Nuclear Safety Commission and three managers from the highly respected organization Rights and Democracy have all been summarily dismissed. Peter Tinsley, Chair of the Military Police Complaints Commission, was not renewed in his position. Diplomat Richard Colvin was intimidated and deterred for his parliamentary testimony about the torture of Afghan detainees handed over by the Canadian military. Partisan appointments to the board of directors of Rights and Democracy resulted in the resignation of internationally renowned board members and have thrown the organization into crisis.



Further, an unprecedented level of secrecy now shrouds a long list of government activities and decisions, making it increasingly difficult for the public to hold the government accountable across a range of fundamentally important issues. Robert Marleau, the Federal Information Commissioner, has reported that access to information regarding government action has been restricted. Diplomats, leaders of governmental agencies, public officials, senior military officers, and scientists at Environment Canada are being pressured to obey a law of silence and censored from communicating to the Canadian public.

The Government has eroded freedom of the press by exercising central control of the information available to journalists. It abused the right to prorogue Parliament in order to avoid serious allegations that the Canadian military has been complicit in the torture of Afghan detainees.

The Government has taken positions domestically and within such key international bodies as the UN General Assembly and the UN

Human Rights Council that undermine essential human rights, environmental and other global principles. The government's actions have set back or weakened crucial international human rights initiatives such as global protection of the rights of Indigenous peoples, a worldwide moratorium on executions, more effective protection of human rights in the Middle East, protection against torture, the rights of gays and lesbians, the rights of women, and the rights of children. Among many distressing examples, since the Supreme Court of Canada found that Canada is responsible for continuing violations of Omar Khadr's human rights, the government's response has been grossly inadequate and a source of shame on the world stage.

In this context, Canadian democratic institutions, civil society organizations, and human rights defenders have been weakened, marginalized and silenced. Their capacity to monitor and safeguard the respect for democracy, free speech, and other rights is in jeopardy. The quality and health of democratic life in Canada is under serious threat.

United, we call upon the Government of Canada to:

1. Respect the right to freedom of opinion and expression.

Therefore,

- Cease to deliberately target those who speak out against government policies with the use of smear campaigns, dismissal from employment, funding cuts, blatant and subtle threats, regulations designed to obfuscate and prevent public debate, and other acts of bad faith.
- Commit to parliamentary hearings that address widespread concerns about the loss of democratic space in Canada.

2. Act in accordance with Canada's democratic traditions and values.

Therefore,

- Actively promote and support political diversity and public debate, instead of avoiding it.
- Recognize and respect the vital role, expertise, and necessary independence of civil society organizations.

3. Be transparent.

Therefore,

- Demonstrate full respect for and accountability to the Parliament of Canada and the Canadian People.
- Allow complete access for Canadians to information regarding public policy decisions.
- Base funding decisions for government and civil society organizations on fair standards and democratic principles, instead of partisan agendas.

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x̣ṃəθḳẉəỵəm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-40

RE: Support for Williams Lake Indian Band in Upholding the Specific Claims Tribunal Decision

WHEREAS on October 16, 2008 the Williams Lake Indian Band filed a specific claim with the Minister of Aboriginal Affairs and Northern Development Canada regarding the unlawful dispossession of its village lands in Williams Lake;

WHEREAS on February 13, 2009 Canada rejected the specific claim for negotiation, and on October 26, 2011, the Williams Lake Indian Band filed its rejected specific claim with the Specific Claims Tribunal;

WHEREAS in the interest of Crown-First Nations reconciliation, the Specific Claims Tribunal ("Tribunal") was established by the *Specific Claims Tribunal Act* as an independent body mandated to make final and binding decisions to resolve specific claims in a timely manner where claims are rejected for negotiation or where negotiations fail;

WHEREAS on February 28, 2014, the Tribunal issued its decision finding that, contrary to historical policy and law, Colonial officials in the 19th century opened the community's village lands to settlers for pre-emption. The Tribunal held Canada accountable for the Colony's failure to protect the Band's village lands and for failing to address the Band's grievance after Confederation;

WHEREAS on March 28, 2014, Canada challenged the Tribunal's decision at the Federal Court of Appeal by applying for expansive judicial review of the Tribunal's decision;

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Grand Chief Stewart Phillip, President

WHEREAS on May 11, 2015 the Federal Court of Appeal heard Canada's application for judicial review of the Tribunal's decision and there has been no judgment delivered to date;

WHEREAS the outcome of this review will profoundly impact all First Nations with specific claims, and the prospects for a meaningful and lasting reconciliation with the Crown since the Court's decision will be binding on the Tribunal in its consideration of all future claims by First Nations. If Canada is able to minimize its responsibilities as a fiduciary, it will succeed in limiting the scope and level of redress and compensation it owes First Nations with specific claims across Canada;

WHEREAS Canada has repeatedly and unequivocally undermined the stated objectives of resolving specific claims in an impartial, fair and timely manner to promote meaningful reconciliation between First Nations and the Crown by challenging the legislated authority of the Tribunal to determine questions of law and fact and make binding decisions in accordance with principles of justice;

WHEREAS despite the reconciliatory goals of the Specific Claims Tribunal and all processes established to resolve Canada's outstanding lawful obligations to Indigenous Nations with respect to specific claims (including the statutory provision for Judicial Review of Tribunal decisions), Williams Lake Indian Band members describe their experience and treatment at the Federal Court of Appeal's judicial review hearing as disrespectful, dismissive and hurtful to such an extent that Crown-Indigenous reconciliation was undermined;

WHEREAS UBCIC Resolutions 2008-20, 2008-42 2009-15, 2009-62, 2010-07, 2010-58, 2011-40, 2012-07, 2012-28, 2012-52, 2012-53, 2012-43, 2013-28, 2013-25, 2013-24 and 2013-27, support reform and initiatives that will bring about the fair, just and timely resolution of specific claims; and

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

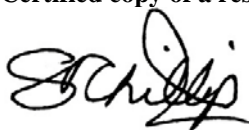
Article 8(2): States shall provide effective mechanisms for prevention of, and redress for... (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

Article 28(1): Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which then 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;

Article 26(2) Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly fully support the Williams Lake Indian Band during their Specific Claims Tribunal process and in all its current and future efforts to reach a fair, just and timely resolution of its village site specific claim;

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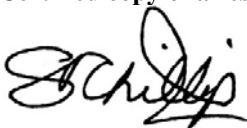
THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly recognize the extreme importance of this proceeding in setting a precedent in the law and defining the authority and relevance of the Tribunal;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly demand that all stages in all processes established to resolve specific claims be carried out with a level of respect which fosters the explicit goal of bringing about reconciliation; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly call on Canada to immediately honour the decisions of the Tribunal it established to fairly resolve specific claims.

Moved: Rick Gilbert, Williams Lake Indian Band (Proxy)
Seconded: Chief Mike LeBourdais, Whispering Pines Indian Band
Disposition: Carried
Date: September 30, 2015

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x^wməθk^wəy^əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-41

RE: Support for Strategy Discussions among First Nations Impacted by Tar Sands Projects and for First Nations Opposed to Energy East Pipeline and Tankers Proposal

WHEREAS climate change threatens the security and way of life of Indigenous peoples throughout Canada and the world, which has been evident in British Columbia as record-breaking temperatures in the summer of 2015 contributed to rampant forest fires, drought, and elevated water temperatures impacting wild salmon and other fish;

WHEREAS the UBCIC Chiefs Council has, through Resolution 2011-54, endorsed the Save the Fraser Declaration and Coastal First Nations Tanker Ban that prohibit the transportation of tar sands crude oil by pipeline and tanker on the north coast, the south coast, and through the Fraser River watershed;

WHEREAS currently proposed tar sands pipeline and tanker projects would contribute to the expansion of Alberta tar sands development, Canada's fastest growing source of greenhouse gas pollution, and increase the risk of oil spills impacting our lands and waters;

WHEREAS inspired by the Save the Fraser Declaration and Coastal First Nations Tanker Ban, and seeking to defend their lands and waters from the Energy East tar sands pipeline and tanker proposal, in July 2015 the Mohawks of Kanesatake invited First Nations across the country to consider developing a unified, Indigenous law-based treaty opposing tar sands projects and transportation in their respective territories (revised draft text attached);

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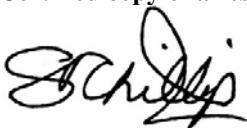
WHEREAS Grand Chief Serge Simon of the Mohawk Council of Kanesatake and Chief Arnold Gardner of Eagle Lake First Nation travelled to the 2015 UBCIC Annual General Assembly to speak about the risks and impacts to all First Nations of the Energy East proposal as well as to discuss opportunities for collaboration among First Nations in addressing climate change and other environmental impacts of tar sands development.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly fully support the Mohawk Council of Kanesatake, Eagle Lake First Nation and other First Nations that are working to protect their territories from the risks and impacts of the Energy East project;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to support, and where appropriate participate in or convene, discussions among UBCIC members and other First Nations that seek to develop shared positions and coordinated strategies for addressing climate change and other environmental and cultural impacts of tar sands development in their territories.

Moved: Chief James Hobart, Spuzzum First Nation
Seconded: Chief Maureen Chapman, Skawahlook
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President

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INDIGENOUS TREATY AGAINST TAR SANDS EXPANSION

(revised draft following original draft of July 8, 2015)

We have inhabited and governed our territories according to our respective laws and traditions since time immemorial. We possess inherent Aboriginal Rights and Title as well as Treaty Rights that are all protected by the Constitution of Canada.

Indigenous sovereign Nations have a long history of treaty making amongst themselves. Many concern peace and friendship and the protection of Mother Earth.

The expansion of the Tar Sands, a truly monumental threat bearing down on all Indigenous Nations in Canada and beyond, calls now for such a treaty:

- The goal of doubling and tripling the production of the already extremely polluting and harmful Tar Sands has led to many new projects aimed at building, converting or expanding pipelines as well as introducing or increasing oil train and tanker traffic, which projects threaten many Indigenous Nations' territories, sacred waterways, shores and communities with the very real risk of toxic and hazardous oil spills.
- Beyond the devastating damage from oil spills that will be suffered by Nations along the route of such pipeline, rail and tanker projects, every single Indigenous Nation in Canada and beyond will suffer terrible harm as a result of such projects: by leading to the expansion of the Tar Sands, they will unquestionably fuel catastrophic climate change.
- The failure to stop the expansion of the Tar Sands would leave our Nations at the mercy of the climate change effects that have already started to endanger our ways of life and which now threaten our very survival. Tar Sands expansion is a collective threat to Indigenous Nations which requires a collective response.

THEREFORE, our Nations hereby join together under the present treaty to officially prohibit and to agree to collectively challenge and resist the use of our respective territories and coasts for the expansion of the production of Tar Sands, including for the transport of such expanded production, whether by pipeline, rail or tanker.

As sovereign Indigenous Nations, we act according to our inherent legal authority and responsibility to protect our respective territories from threats to our lands, waters, air and climate. Such right is also confirmed by the Constitution of Canada and the United Nations *Declaration on the Rights of Indigenous Peoples*.

Although we are motivated by the protection of our Nations, we are fully aware that it is in all Canadians' interest to put a stop to the threat of Tar Sands expansion. In fact, we wish to work in collaboration with all Canadians and all levels of government in creating a clean, just and sustainable economy, one that will both lead to healthier and more prosperous communities across Canada as well as preserve and protect our way of life.

We commit, therefore, to expand our circle of engagement and resistance until it encompasses the whole country and all of the Indigenous and non-Indigenous people within it. We are convinced that, together, we can build a much better future than the one we are on course for now – which is no future at all.

Declared and affirmed by the following:



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**UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH - 30TH, 2015
x^wməθk^wəy^əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.**

Resolution no. 2015-42

RE: Appointment to UBCIC Resolutions Committee

WHEREAS the UBCIC By-Laws state that:

XI (a) Prior to the end of each meeting, the Chiefs Council or Chiefs-in-Assembly shall appoint a Resolutions Committee comprised of no less than three and no more than five Full or Active Members who will be responsible with the Executive Committee and UBCIC staff for receiving and reviewing resolutions to be presented at the next Chiefs Council, AGA, or Special General Assembly. If a new Resolutions Committee is not appointed prior to the next meeting, the current Resolutions Committee will continue to sit;

WHEREAS there is one vacancy on the UBCIC Resolutions Committee that must be filled to achieve three Full or Active Members; and

WHEREAS the UBCIC Chiefs-in-Assembly directed the Chair of the Assembly to call for nominations from the floor to participate in the UBCIC Resolutions Committee.

THEREFORE BE IT RESOLVED that the UBCIC Chiefs-in-Assembly hereby recognize the following persons as the Resolutions Committee of the UBCIC:

- 1) Chief Hugh Braker, Tseshah First Nation (reappointment)
- 2) Councilor Debbie Abbott, Lytton First Nation (reappointment)
- 3) Chief Harvey Paul, Sts'ailes (new appointment)

Moved: Chief Janet Webster, Lytton First Nation
Seconded: Chief Lee Spahan, Coldwater Indian Band
Disposition: Carried
Date: September 30, 2015

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Resolution no. 2015-43

RE: Recognition of Grand Chief Clarence Jules Sr.

WHEREAS the Union of BC Indian Chiefs (UBCIC) honours the vision of its founding members, the Indigenous Chiefs of British Columbia, who, with the wisdom and support of the Indigenous women of British Columbia through the Indian Homemaker's Association of BC and BC Native Women's Society, came together to protect our Aboriginal Title, Rights and Treaty Rights;

WHEREAS Chief Clarence Jules Sr., Tk'emlúps te Secwépemc, hosted the formative and historic meeting of the UBCIC in November, 1969, and was one of its proud founders;

WHEREAS in sadness, the UBCIC recognizes the recent passing of respected Chief Clarence Jules Sr.;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* states 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"; and

WHEREAS at the UBCIC 25th Annual General Assembly in 1993 a Special Resolution was endorsed recognizing "all of the founders of the Union of B.C. Indian Chiefs now and hence forward to refer to them as Grand Chiefs, of the Union of B.C. Indian Chiefs."

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly recognize and proudly reaffirm the UBCIC 1993 Special Resolution recognizing all 1969 Founders as Grand Chiefs of the Union of BC Indian Chiefs;

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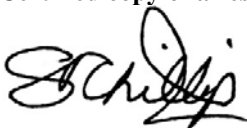
Grand Chief Stewart Phillip, President

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly wish to formally and immediately acknowledge, honour and thank the late Chief Clarence Jules Sr. for his inspiration and commitment to the UBCIC and to the causes of Indigenous Peoples in British Columbia; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly formally recognize the late Chief Clarence Jules Sr. as Grand Chief of the Union of BC Indian Chiefs in perpetuity.

Moved: Ronnie Jules, Adams Lake Indian Band (Proxy)
Seconded: Kukpi7 Wayne Christian, Splatshin
Disposition: Carried
Date: September 30, 2015

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Resolution no. 2015-44

RE: Support for the First Nations Wild Salmon Alliance to Participate in the Minister of Agriculture's Advisory Council on Finfish Aquaculture.

WHEREAS wild Pacific salmon are integral to the culture, well-being, and livelihood of BC First Nations people, and First Nations support is critical for the conservation and protection of wild salmon and the well-being of wild salmon runs in British Columbia;

WHEREAS there are serious and proven impacts resultant from the development and continual activity of current aquaculture practices on the sustainability and survival of wild salmon stocks;

WHEREAS the steady decline of healthy and abundant wild salmon stocks has reached a crisis point;

WHEREAS as indicated in the Minister of Agriculture's mandate letter, the BC Provincial Government will strike a standing Minister of Agriculture's Advisory Council on Finfish Aquaculture that will include members from the aquaculture industry, non-governmental organizations and First Nations, as well as the Ministry of Agriculture and the Ministry of Forests, Lands and Natural Resource Operations;

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

Article 26: "Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use...";

Article 29: that "Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources...";

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WHEREAS UBCIC Resolutions 2008-19, 2009-35 and 2009-36 confirm UBCIC's commitment to work in solidarity with like-minded organizations and BC First Nations with respect to fisheries and aquaculture issues;

WHEREAS UBCIC Resolution 2012-19 reaffirms UBCIC's role to strongly advocate for Aboriginal Title, Rights and Treaty Rights with respect to fisheries and aquaculture, as mandated through existing resolutions;

WHEREAS UBCIC Resolution 2012-36 calls for the UBCIC to advocate for the protection, conservation and safeguarding of wild salmon stocks, in particular reproduction areas;

WHEREAS First Nations in BC have a common interest in increasing decision-making and control with respect to the regulation, policy, planning and management of marine finfish, shellfish and aquaculture to promote the protection, restoration and sustainability of fisheries, aquatic and ocean resources and ecosystems;

WHEREAS First Nations in BC have diverse interests, perspectives and priorities with respect to the management of marine finfish, shellfish and aquaculture, and as self-determining Nations share a responsibility to manage resources in a manner that respects the interdependence we have with one another;

WHEREAS the First Nations Wild Salmon Alliance seeks to bring First Nations together to speak with a common voice for the protection and conservation of wild salmon throughout British Columbia; and

WHEREAS the First Nations Wild Salmon Alliance would like to provide expert advice to the Minister of Agriculture's Advisory Council on Finfish Aquaculture regarding the impact of aquaculture activities on wild salmon stocks.

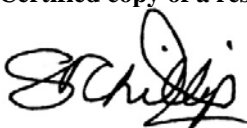
THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly reaffirm full support for the First Nations Wild Salmon Alliance and its efforts to protect and conserve wild salmon stocks and their reproductive areas and their migratory routes;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly support the inclusion and participation of the First Nations Wild Salmon Alliance in the Minister of Agriculture's Advisory Council on Finfish Aquaculture; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to provide a letter to the Ministry of Agriculture requesting that the chair of the First Nations Wild Salmon Alliance be invited to participate in the Advisory Council on Finfish Aquaculture.

Moved: Chief James Hobart, Spuzzum First Nation
Seconded: Chief Jonathan Kruger, Penticton Indian Band
Disposition: Carried
Date: September 30, 2015

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Draft Resolution no. 2015-45

RE: Fiscal Relations

WHEREAS the “Four Principles” were developed in 2014 by the Chiefs as the collective response to the Supreme Court of Canada’s decision in *Tsilhqot’in*, and were endorsed by the UBCIC Chiefs through UBCIC Resolution 2015-04 as the basis of recognition and reconciliation work;

WHEREAS Article 26(2) of the *United Nations Declaration on the Rights of Indigenous Peoples* states that “Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired” and further, Article 32(1) requires the “free and informed consent prior to the approval of any project affecting [our] lands or territories and other resources”;

WHEREAS many First Nations across BC support an aboriginal resource tax on resource projects (mining, pipelines, forestry, and utilities) in their respective territories;

WHEREAS we support the option of an aboriginal resource tax for the following reasons:

1. Tax jurisdiction is consistent with implementing our aboriginal title jurisdiction and ownership.
2. Our tax jurisdiction was exercised before contact. This power continues to exist and should be implemented by our authority. Revenue sharing is from revenues collected by a provincial authority.
3. We need predictable and stable revenues. The amount of revenue collected for provincial revenue sharing agreements is determined by Provincial tax policy makers who do not need to take First Nation interests into account when they make decisions. Our jurisdiction would resolve this potential problem.
4. Our tax jurisdiction means we can collect revenues when infringement on our lands begins and not when the revenue sharing agreement kicks in.
5. Royalty sharing agreements are temporary and specific to a project. A First Nations tax will be permanent and encompass a whole territory.
6. Many projects that infringe title do not directly generate resource taxes or royalties. This is true of pipelines and LNG plants. Royalty sharing is not going to work in these cases.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly recognize that, in accordance with the Four Principles, we must move to consent based decision-making, and that we must move to implementation of our revenue jurisdictions including the option of an aboriginal resource tax supported by appropriate Title-based fiscal arrangements;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly, consistent with the Four Principles, promote tax jurisdiction as one of the means to implement Aboriginal Title.

Moved: Kukpi7 Wayne Christian, Splat sin
Seconded: Ed Jensen, Tk’emlúps te Secwépemc (Proxy)
Disposition: TABLED
Date: September 30, 2015

OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
47TH ANNUAL GENERAL ASSEMBLY
SEPTEMBER 28TH - 30TH, 2015
x^wməθk^wəy^əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-46

RE: Commemorating UBCIC History

WHEREAS the UBCIC was founded in Kamloops in 1969 and there is a photograph of those in attendance;

WHEREAS it is important to preserve this history in a manner that can be effectively communicated to future leaders, communities, and interested researchers;

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

Article 31(1): Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions... and their intellectual property;

WHEREAS historical documentary films such as a "Great Day in Harlem" have been made based on photograph of historic events.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly support the development of a documentary film based on the 1969 founding photograph of the UBCIC;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive and staff to seek partner organizations and to pursue funding for a documentary film based on the 1969 founding photograph of the UBCIC.

Moved: Kukpi7 Wayne Christian, Splatsin
Seconded: Ed Jensen, Tk'emlúps te Secwépemc (Proxy)
Disposition: Carried
Date: September 30, 2015

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2015-46
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xʷməθkʷəyəm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-47

RE: Support for Pilalt Self-Determination regarding Pilalt First Salmon Ceremony 2014

WHEREAS Indigenous Nations in BC have always and continue to hold Aboriginal Title, Rights and Treaty Rights to the lands and resources in our respective territories;

WHEREAS Indigenous Peoples continue to be closely linked to the land and resources and have a responsibility and jurisdiction to take care of the lands and resources for our future generations;

WHEREAS the Pilalt traditionally practiced the First Salmon Ceremony as a sacred ceremony that honours the salmon for providing the Pilalt with their sustenance. The *Sparrow* case ruled that there is an Aboriginal right to fish for ceremonial purposes. The First Salmon Ceremony is performed to thank the salmon to ensure they return to our waters. This ceremony is one of the most important of the Pilalt ceremonies as it demonstrates our relationship with the salmon and allows us to do our part in welcoming the salmon to keep returning to us;

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

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

Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions;

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Grand Chief Stewart Phillip, President

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

Article 11(1): Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature;

WHEREAS the Pilalt Tribe Leaders of the Sto:lo Nation directed some of their fishers to fish for the Pilalt First Salmon Ceremony in March 2014, and these fisherman were subsequently charged by the Department of Fisheries and Oceans (DFO) under the Fisheries Act;

WHEREAS the Pilalt Leadership dispute these Charges and insist the DFO engage directly with the Pilalt Leadership to develop a co-management framework in the Fraser River Aboriginal Fisheries in a way that recognizes our Section 35 Rights in the Canadian Constitution;

WHEREAS the Pilalt Leadership has been working to get the DFO to drop the charges against the fishers and have the DFO revert the charges toward the Pilalt Leadership for its role in authorizing the fishery for the First Salmon Ceremony; and

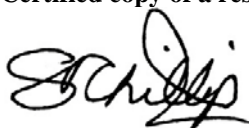
WHEREAS the Pilalt Leadership has notified not only the DFO, but also the Ministry of Justice and the Ministry of Aboriginal Affairs and Northern Development Canada with no avail.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly fully support the Pilalt Leadership's self-determination, and their inherent right to govern according to Pilalt and Sto:lo Nation Ceremony; and

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly fully support the Pilalt Leadership in their efforts to have the charges dropped against the Pilalt fishers and have the Charges reverted towards the Pilalt Leadership for authorizing the fishery for the Pilalt First Salmon Ceremony, and direct the UBCIC Executive to communicate this to the Department of Fisheries and Oceans, Ministry of Justice, and Ministry of Aboriginal Affairs and Northern Development Canada.

Moved: Chief Dalton Silver, Sumas First Nation
Seconded: Chief George Saddleman, Upper Nicola Indian Band
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President

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SEPTEMBER 28TH - 30TH, 2015
xʷməθkʷəy̓əm (MUSQUEAM TERRITORY), VANCOUVER, B.C.

Resolution no. 2015-48

RE: Support for First Nations Leadership Council Entering into a *Protocol on the Social Determinants of Health* with the First Nations Health 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 UBCIC Chiefs Council has endorsed resolutions directing the First Nations Health Council, the First Nations Interim Health Governance Committee, and the First Nations Health Society to implement the commitments in the *Transformative Change Accord: First Nations Health Plan* and the *Tripartite First Nations Health Plan Memorandum of Understanding*;

WHEREAS the First Nations Leadership Council and the First Nations Health Council previously entered into a *Declaration and Protocol of Recognition, Support, Cooperation and Coordination* in 2008, endorsed through UBCIC Resolution 2008-24 and a *Protocol of Recognition, Support, Cooperation and Coordination* endorsed through UBCIC Resolution 2012-44; and

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Grand Chief Stewart Phillip, President

WHEREAS the First Nations Leadership Council and the First Nations Health Council wish to enter into a new *Protocol on the Social Determinants of Health* with a purpose to serve as a shared commitment to ongoing collaboration, information sharing and coordinated action in addressing the social determinants of health.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly support the attached *Protocol on the Social Determinants of Health* 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 Health Council;

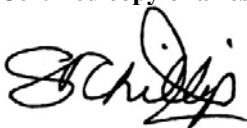
THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly recognize that this Protocol replaces and supersedes the *Protocol of Recognition, Support, Cooperation and Coordination* signed by the Parties in 2013;

THEREFORE BE IT FURTHER RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to work with the other members of the First Nations Leadership Council to execute the *Protocol on the Social Determinants of Health* with the First Nations Health Council; and

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to work with other members of the First Nations Leadership Council and the First Nations Health Council to provide regular reports to the UBCIC Chiefs Council.

Moved: Chief Kevin Whitney, T'it'q'et First Nation
Seconded: Chief Mike LeBourdais, Whispering Pines Indian Band
Disposition: Carried
Date: September 30, 2015

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Grand Chief Stewart Phillip, President

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PROTOCOL ON THE SOCIAL DETERMINANTS OF HEALTH

BETWEEN THE

FIRST NATIONS LEADERSHIP COUNCIL

AND

FIRST NATIONS HEALTH COUNCIL

(COLLECTIVELY THE “PARTIES”)

Preamble:

The First Nations Leadership Council (FNLC) is a collaborative political partnership among the BC Assembly of First Nations (BCAFN), the First Nations Summit (FNS) and the Union of BC Indian Chiefs (UBCIC) with a mandate to politically advance and support the interests and initiatives of First Nations in BC. The First Nations Leadership Council takes direction from BC First Nations through resolutions passed at the respective assemblies of the BC Assembly of First Nations, First Nations Summit, and Union of BC Indian Chiefs, and at All-Chiefs’ Assemblies, as well as provide advocacy for individual Nations upon their request.

The First Nations Health Council (FNHC) is a provincial advocacy body with the mandate to advocate on First Nations health and wellness matters, support health systems transformation, and build partnerships to address the broader determinants of health in support of the shared vision of healthy, self-determining and vibrant BC First Nation children, families and communities.

The Parties share the objective to improve health and wellness outcomes by improving the overall quality of life for First Nation children, families and communities in BC.

The Parties acknowledge that improving the quality of life for First Nations in BC requires concerted and coordinated action to address the related and underlying contributors that build healthy communities.

Purpose:

Within the scope of respective mandates, this Protocol confirms a shared commitment to ongoing collaboration, information sharing and coordinated action in addressing the social determinants of health.

This Protocol sets out processes for the Parties to determine shared priorities relevant to the social determinants of health and, in conjunction with clearly defined roles and reciprocal accountabilities, to advance those priorities in a manner that serves to enable and enrich respective mandates and accountabilities.

Roles and Reciprocal Accountabilities:

The Parties agree to uphold the following roles and reciprocal accountabilities:

- The Parties acknowledge and respect the role of each Party and the evolving nature of relationships and responsibilities in the implementation of this Protocol.
- The Parties acknowledge and respect that each Party has respective agreements and accountabilities, and take direction from BC First Nations through their respective governance structures and processes.
- The Parties agree to maintain open lines of communication and to notify the other Party of any developments that may impact the implementation of this Protocol.
- The Parties agree to an ongoing process of information sharing, ensuring coordination of effort on matters of strategic interest and importance.
- The Parties will work in a manner that upholds the principle of Community-Driven, Nation-Based and respects the diversity, cultures and contributions of First Nations in each region.
- The Parties will support one another in a positive and constructive manner to facilitate positive outcomes for BC First Nations.

Commitments to Ongoing Collaboration:

The Parties agree to the following areas for collaboration:

A. Information Sharing and Communication:

- The Parties (the full FNHC and the full FNLC) will meet twice per year, or as agreed upon, to discuss shared interests and emerging issues, establish direction on mutual priorities, and monitor the implementation of this Protocol.
- Each Party will make available time during regular meetings for the other Party to provide a status update on priorities and initiatives relevant to the implementation of this Protocol.

B. Cost-Effective and Coordinated Engagement:

- The FNHC will provide direction regarding the social determinants of health to the FNLC for inclusion into the annual Joint Gathering hosted by the FNLC and Aboriginal Affairs and Northern Development Canada.
- The Parties may choose to coordinate engagement efforts through FNHC's Regional Caucuses.

C. Cross-Sector Collaboration:

- The Parties will support and participate in the FNLC-FNO Forum to collaborate, share information, develop strategies and take measures, consistent with and subject to respective mandates, to support BC First Nations. As the lead body for the FNLC-FNO Forum, the FNLC will provide administrative and secretariat support to the process.
- The Parties will support and participate in the Social Policy Forum for collaboration, coordination and information sharing among member First Nation organizations with respect to the social determinants of health. As the lead body, the FNHC will provide administrative and secretariat support to the process.

D. Implementing Regional Social Determinant Strategies:

- Given their expertise, the FNHC will track progress in the implementation of regional strategies and plans related to the social determinants of health, as developed and approved by each Regional Caucus, and identify key outcomes for joint review and action with the FNLC.

- The Parties will coordinate advocacy efforts in a manner that effectively advances regional priorities and interests, and serves to mobilize respective capacities in support of shared priorities.

The Parties will develop a Reciprocal Accountability Framework that defines principles, mechanisms and processes for collaboration between the Parties in the implementation of this Protocol.

Dispute Resolution:

In the event of a dispute, the Parties will follow the process as outlined below:

- In the spirit of cooperation and unity, the Parties will make every effort to identify and resolve a disagreement or dispute in a productive and prompt manner.
- Where the Parties are unable to resolve a disagreement or dispute in this manner, the matter will be deferred to and discussed at a duly convened dinner meeting between the full FNHC and FNLC.
- The Parties will seek the support of an Elder to ensure processes of dispute resolution uphold and respect the traditional teachings, values and protocols that may be appropriate for facilitating a positive outcome in particular circumstances.

Review and Amendment:

The Parties will review this Protocol on an annual basis to ensure it reflects the expectations, priorities and shared interests of the Parties.

Any amendments to this Protocol must be in writing and signed by both Parties.

General:

The FNHC and FNLC agree that, in effect, this Protocol replaces and supersedes the *Declaration and Protocol of Recognition, Support, Cooperation and Coordination* signed by the Parties in 2013.

This Protocol will continue until such time as either one of the Parties terminates the Protocol in writing.

This Protocol does not create any legal or financial obligations on the part of signatories to this Protocol.

Appendix A – Membership of the Social Policy Forum

Appendix B- Terms of Reference for the FNLC-FNO Forum