

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

Final Resolutions of UBCIC Chiefs Council, June 11th – 12th, 2024

- 2024-18 Support for UBCIC Intervention in Challenge to Bill 34
- 2024-19 Support for FNLC Intervention in Caring Society's Motion regarding Canada's failure to adhere to the CHRT orders on Jordan's Principle
- 2024-20 Collaborative Table to Implement the Calls for Justice
- 2024-21 B.C. First Nations Justice Council's Indigenous Women's Justice Plan
- 2024-22 Appointment to the First Nations Forestry Council
- 2024-23 Modernization of B.C. Timber Sales
- 2024-24 Wood Pellet Manufacturing
- 2024-25 Support for the Creation of a First Nations Power Authority in B.C.
- 2024-26 Reducing the Impacts of Alaskan Interception Fisheries
- 2024-27 Support for Indigenous Tourism British Columbia to Develop a B.C. First Nations-Led Indigenous Tourism Destination Fund
- 2024-28 Increased Federal Support for First Nations Post-Secondary Education and Adult Secondary Education
- 2024-29 Increased Access to Treatment for End-Stage Organ Failure, Organ Donation and Transplantation for First Nations in B.C.
- 2024-30 Creating a Centralized MMIWG2S+ Database

- 2024-31 Increasing the Specific Claims Research and Development Budget to Ensure Access to Justice
- 2024-32 Support for Tripartite MOU on First Nations Early Learning and Child Care
- 2024-33 Rejection of Residential School Racist Denialism
- 2024-34 Ceasefire and Arms Embargo in Palestine
- 2024-35 Implementing a Proper Distinctions-Based Approach in Public Education
- 2024-36 Enshrining Housing as a Human Right in Legislation and Action Plans
- 2024-37 FNLC Relationship Protocol with the Union of B.C. Municipalities
- 2024-38 Appointment to the B.C. First Nations Justice Council
- 2024-39 Support for the Development of a B.C. First Nations Languages Act
- 2024-40 Support for Precautionary Principle in Transition Planning Process

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-18

RE: Support for UBCIC Intervention in Challenge to Bill 34

WHEREAS since April 14, 2016, due to a sharp increase of drug related overdoses and drug related deaths across the province, B.C. has been under a Public Health Emergency declared by then Provincial Health Officer, Dr. Perry Kendall;

WHEREAS since that time the severity of the toxic drug crisis has worsened with 1,645 people dying of overdose between the months of January and September 1, 2023, in B.C. alone;

WHEREAS on November 8, 2023, the government of B.C. passed *Bill 34-2023: Restricting Public Consumption of Illegal Substances Act* (Act) which would, among other things:

- prohibit the consumption of unregulated drugs in most public places including sidewalks, bus stops, doorways, and spaces for community use;
- empower police to order a person to leave a place to which all people have right of access, on the basis that police have reasonable grounds to believe that person recently consumed an illegal substance; and
- enable police to enforce an arrest, search, or fine, and/or seize a person's drugs for analysis if that person fails to leave the public place;

WHEREAS First Nations people are chronically and drastically overrepresented in housing insecurity, homelessness, and fatal overdoses, dying at 5.9 times the rate of other B.C. residents, with over 1,800 First Nations people dying due to toxic drug poisoning since the Public Health Emergency was declared in 2016. In 2020, First Nations people experienced 15% of all drug toxicity deaths, despite comprising only 3.3% of B.C.'s population. First Nations women and girls are particularly vulnerable to the intersecting crises and are more likely to experience gender-based and domestic violence. First Nations people will be disproportionately harmed by the Act;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 1: Indigenous people have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

Article 19: States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 24(1): Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

WHEREAS UBCIC Resolutions 2023-13, 2022-63, and 2022-61 address the harms of the toxic drug crisis, the interconnected human rights crisis, and the need for a holistic substance use and mental health system and decriminalization;

WHEREAS the Harm Reduction Nurses Association (HRNA) has launched litigation (Litigation) in which, among other things, the HRNA seeks to have the Act declared to be of no force and effect as it unjustifiably infringes upon the rights of people who use drugs under the *Canadian Charter of Rights and Freedoms*;

WHEREAS the Act is currently paused from coming into effect due to a successful court application by the HRNA, a trial to determine whether the Act meets constitutional standards will start on November 25, 2024, and applications to intervene in the Litigation are set to be heard on September 13, 2024; and

WHEREAS UBCIC has previously voiced its opposition to the Act in its statement on October 5, 2023, and UBCIC President Grand Chief Stewart Phillip submitted an affidavit in HRNA's successful court application outlining the disproportionate impacts the Act will have on First Nations people.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports an intervention by UBCIC in the Litigation launched by the Harm Reduction Nurses Association regarding Bill 34, *Restricting Public Consumption of Illegal Substances Act* because of the harmful impacts the Act stands to have on First Nations people;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to retain legal counsel to seek intervener status for UBCIC, and to provide legal advice and representation in UBCIC's intervention in the Litigation, subject to resourcing; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to provide a comprehensive update on UBCIC's intervention in the Litigation at the next UBCIC Chiefs Council meeting.

Moved: Chief Byron Louis, Okanagan Indian Band
Seconded: Kukpi7 James Hobart, Spuzzum First Nation
Disposition: Carried
Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

Union of B.C. Indian Chiefs
CHIEFS COUNCIL

JUNE 10TH & 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTER (STÓ:LŌ TERRITORY)

Resolution no. 2024-19

RE: FNLC Intervention in Caring Society’s Motion Regarding Canada’s Failure to Adhere to the CHRT Orders on Jordan’s Principle

WHEREAS First Nations title and rights holders have the inherent right to self-determination, which includes jurisdiction over our children and families as constitutionally protected under section 35 of the *Constitution Act*, 1982, described in the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), and affirmed in *An Act respecting First Nations, Inuit and Métis children, youth and families* which constitutional validity was confirmed by the Supreme Court of Canada in *Reference re An Act respecting First Nations, Inuit and Métis children, youth and families*, 2024 SCC 5;

WHEREAS on February 23, 2007, the Assembly of First Nations (AFN) and the First Nations Child and Family Caring Society (Caring Society) filed a complaint with the Canadian Human Rights Commission alleging that Canada was discriminating against First Nations in the provision of child and family services on reserve by providing insufficient and inequitable funding for those services;

WHEREAS in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2 (the Merit Decision), the Canadian Human Rights Tribunal (the Tribunal) found Canada was discriminating against First Nations children and their families by failing to implement the full scope of Jordan’s Principle and denying First Nations children the equal provision of child and family services, and ordered Canada to stop its discriminatory policies and practices and to take immediate measures to implement the full meaning and scope of Jordan’s Principle;

WHEREAS since the 2016 Merit Decision, the Tribunal has issued numerous procedural and non-compliance orders against Canada. The case is ongoing, and the Tribunal retains jurisdiction over these orders;

WHEREAS the UN Declaration, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of (indigenous peoples’) economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22(1): Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

Article 22(2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

WHEREAS on December 31, 2021, Canada signed onto an Agreement-in-Principle for the long-term reform of the First Nations Child and Family Services (FNCFS) Program and Jordan’s Principle, to ensure no First Nations child experiences discrimination again, and is negotiating a Final Settlement Agreement with the parties to the Merit Decision, excluding the Caring Society, which withdrew from this process in December 2023 to bring a non-compliance order against Canada;

WHEREAS by resolution 2016-04, 2022-67 and 2024-02, the UBCIC Chiefs Council called on Canada to uphold the Merit Decision and subsequent orders, and to ensure that the Final Settlement Agreement includes provisions to cease Canada’s operational and administrative discrimination in the FNCFS Program and Jordan’s Principle;

WHEREAS on December 12, 2023, the Caring Society filed a motion with the Tribunal, seeking several orders regarding Canada’s willful and chronic failure to adhere to the Tribunal’s orders on Jordan’s Principle, including an order that Canada address its backlog of Jordan’s Principle requests (the Motion), noting “a significant number of unopened requests and backlogs” for Jordan’s Principle in the B.C. Region;

WHEREAS a unique context exists in B.C. as it relates to FNCFS and health, and it is critical to bring a B.C.-specific perspective on the issues outlined in the Motion and the impacts on First Nations children and families;

WHEREAS the First Nations Leadership Council (FNLC) is a collaborative, political working relationship between the UBCIC, the B.C. Assembly of First Nations, and the First Nations Summit, and is well-placed to ensure a B.C.-specific perspective is put before the Tribunal in the Motion; and

WHEREAS the UBCIC, as part of the FNLC, had to apply for interested status prior to the June 2024 Chiefs Council meeting, necessitating an Executive Resolution which was passed on May 23rd, 2024, with the clause that this resolution would also need to be passed by the UBCIC Chiefs Council.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports an intervention into the First Nations Child and Family Caring Society (Caring Society)’s motion regarding Canada’s willful and chronic failure to adhere to the Canadian Human Rights Tribunal (CHRT)’s orders on Jordan’s Principle before the CHRT;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the First Nations Summit and the B.C. Assembly of First Nations as the FNLC, to retain legal counsel to apply for interested party status for the FNLC in the Caring Society’s motion against Canada before the CHRT, and to provide legal advice and representation for the FNLC if the application is granted, subject to resourcing; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to provide a comprehensive update on the intervention in the Caring Society’s motion against Canada at the next UBCIC Chiefs Council meeting.

Moved: Kukpi Lee Spahan, Coldwater Indian Band
Seconded: Chief Jerry Jack, Mowachaht-Muchalaht First Nations
Disposition: Carried
Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-20

RE: Collaborative Table to Implement the Calls for Justice

WHEREAS Indigenous peoples in B.C. are disproportionately affected by violence, domestic violence and gender-based violence (GBV), the Missing and Murdered Indigenous Women, Girls, and Two-Spirit+ crisis (MMIWG2S+), and ongoing genocide rooted in colonialism;

WHEREAS B.C. has the unfortunate claim of being the home of the Highway of Tears, Vancouver's Downtown Eastside, and the Robert Pickton case, all of which have been notorious sites of brutal, systemic GBV against Indigenous women, girls and 2SLGBTQIA+¹ peoples;

WHEREAS five years after the National Inquiry into Missing and Murdered Indigenous Women and Girls (the National Inquiry) published the Calls for Justice on June 3, 2019, the MMIWG2S+ crisis continues to be extremely pervasive and cause immeasurable harm to families, friends, and entire communities whose loved ones are taken by perpetrators of GBV;

WHEREAS provincially, work pertaining to GBV prevention and addressing the MMIWG2S+ crisis is taking place across various ministries without cohesive coordination, including within the Ministry of Public Safety and Solicitor General (Path Forward, Crime Victim Assistance Program, Police Act Reform), the Ministry of Finance Gender Equity Office (Gender-Based Violence Action Plan), the Ministry of the Attorney General (Family Law Act Amendments), the Ministry of Post Secondary Education and Future Skills (Preventing Sexual Violence at Post-Secondary Institutions), and the Ministry of Housing (Home for People and Belonging in B.C. Action Plans);

WHEREAS the government of Canada's efforts have focused on the implementation of a National Action Plan to End Gender-Based Violence (NAP). The NAP and Canada's accompanying Federal Pathway have been criticized for lacking coordination between jurisdictions, timelines for implementation, clear actions in response to the Calls

¹ Two-Spirit, Lesbian, Gay, Bi-Sexual, Transgender, Queer, Questioning, Intersex, Asexual, and more.

for Justice, inclusion of family members, survivors and Indigenous women's organizations, remedies to sex discrimination in the Indian Act and accountability mechanisms;

WHEREAS such a lack of reporting out, transparency and coordination between ministries and across levels of government is creating silos, preventing a collaborative approach to implementing the Calls for Justice and is ultimately failing to address the systemic origins of the MMIWG2S+ crisis;

WHEREAS a variation of a federal, provincial, territorial, Indigenous (FPT-I) table on MMIWG2S+ has been established to occur annually; however, besides this, there is no collaborative mechanism for First Nations, families of MMIWG2S+ and survivors in B.C. to advance meaningful progress and accountability on planning for and implementing the Calls for Justice;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 7(1): Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 22(1): Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

(2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination;

WHEREAS the National Inquiry's Calls for Justice, Red Women Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside, and Highway of Tears Symposium Recommendations Report clearly outline persistent and deliberate human and Indigenous rights violations and abuses as a root cause behind Canada's staggering rates of violence against Indigenous women, girls, and 2SLGBTQQIA+ people. These reports provide concrete, actionable recommendations and a clear path to creating systemic change and ending violence by calling on government in the areas of culture, human security, health, and justice; on industries, institutions, service providers and partners, including the media, health providers, transportation and hospitality providers, educators, social workers, extractive industries, police services and justice actors, and the Canadian public;

WHEREAS the Calls for Justice arise from international and domestic human and Indigenous rights laws, including the Charter, the Constitution, and the Honour of the Crown. As such, Canada has a legal obligation to fully implement these Calls for Justice;

WHEREAS the National Inquiry's Calls for Justice specifically call for governments, police and Canadians to take all necessary measures to prevent and investigate violence against Indigenous women (1.5, 1.8); eliminate jurisdictional gaps (1.6); develop laws, policies, and public education campaigns to challenge violence (1.9); create an independent mechanism to report on the implementation of the National Inquiry's Calls for Justice (1.10); enact missing persons legislation (5.8); and help hold all governments accountable to act on the Calls for Justice, and to implement them (15.8);

WHEREAS by UBCIC Resolutions 2023-32; 2023-10; 2022-36; and 2021-31, the UBCIC Chiefs Council has worked to address issues of missing Indigenous people and GBV, to advocate for the implementation of the Calls for Justice and for federal legislation creating accountability and legal standards for preventing and responding to cases of MMIWG2S+ people. By UBCIC Resolution 2023-10, UBCIC has commissioned a memo of the legal landscape of policies and legislation pertaining to protections against GBV;

WHEREAS other jurisdictions have been proactive in addressing the MMIWG2S+ crisis through the establishment of collaborative advisory tables and task forces with representation from all levels of government, police, families, survivors, and Indigenous communities. Many such examples have resulted in cohesive approaches to addressing GBV, including the development of policy and legislation and accountability mechanisms. Among these are the Yukon Advisory Committee on MMWIG2S+, the Washington State Missing and Murdered Indigenous People Task Force, US Federal Legislation Savannah’s Act and the Not Invisible Act, and the US Not Invisible Act Commission;

WHEREAS families and survivors, Indigenous communities and Indigenous organizations have worked to fill the gaps left by government with efforts such as the B.C. First Nations Justice Council’s Indigenous Women’s Justice Plan or the Native Women’s Association of Canada’s MMIWG2S+ Action Plan and beyond;

WHEREAS the establishment of a collaborative table to implement the National Inquiry’s Calls for Justice is an opportunity for a streamlined-coordinated approach for regional implementation of the Calls for Justice. The collaborative table should be distinct from existing efforts and be hosted by B.C., with participation from partners, survivors and families, in light of the Province’s responsibility to address the crisis which stems from the intersecting impacts of colonialism;

WHEREAS the purpose of a collaborative table is to improve accountability for implementing the Calls for Justice, communication with families, enhance coordination and collaboration, and advance UN Declaration implementation; and

WHEREAS the collaborative process should include provincial and federal political and First Nations representatives with regional representation and representation from across ministries and levels of government and include the First Nations Leadership Council and B.C. First Nations Justice Council, as well as perspectives from families and survivors of MMIWG2S+ and 2SLGBTQIA+ people, working together to implement the Calls for Justice.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive and staff to work with the B.C. Assembly of First Nations and First Nations Summit, collectively as the First Nations Leadership Council, and like-minded organizations including the B.C. First Nations Justice Council, to work with the provincial and federal governments for the establishment of a dedicated table to implement the Calls for Justice in B.C.; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the provincial and federal governments to:

- learn from collaborative MMIWG2S+ initiatives in other jurisdictions;
- commit to a collaborative table, which is distinct from existing efforts, to work across levels of government and between ministries to address systemic GBV prevention, implement the Calls for Justice, and end the crisis of MMIWG2S+ people;
- work collaboratively with the UBCIC, B.C. Assembly of First Nations, and First Nations Summit, collectively as the First Nations Leadership Council, and the B.C. First Nations Justice Council, to develop a terms of reference for a collaborative table to implement the Calls for Justice;
- include survivors and families of MMIWG2S+ and 2SLGBTQIA+ people, First Nations and women’s organizations; and
- provide sustainable multi-year funding, resourcing and capacity to support the development and objectives of the table and for B.C. to begin the technical work of establishing the table without delay.

Moved: Melissa Moses, UBCIC Women’s Representative

Seconded: Katisha Paul, UBCIC Youth Representative

Disposition: Carried

Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-21

RE: B.C. First Nations Justice Council's Indigenous Women's Justice Plan

WHEREAS the B.C. First Nations Justice Council (BCFNJC) was first envisioned by First Nations in B.C. in the 2007 “B.C. First Nations Justice Action Plan” and created by the First Nations Leadership Council in 2015 through resolutions endorsed at the assemblies of the Union of B.C. Indian Chiefs (UBCIC), B.C. Assembly of First Nations (BCAFN) and First Nations Summit (FNS);

WHEREAS in 2020, the B.C. First Nations Justice Strategy, which contains 25 individual strategies and 43 lines of action, was endorsed through UBCIC Resolution 2020-12, BCAFN Resolution 16/2020 and FNS Resolution #0220.06;

WHEREAS strategy 11 of the B.C. First Nations Justice Strategy calls for the creation of an Indigenous Women's Justice Plan (IWJP) as well as a strategy to address the challenges of intimate partner violence;

WHEREAS the disproportionate, pervasive and persistent violence and crimes faced by Indigenous women are rooted in colonialism and have been repeatedly exposed in essential reports and inquiries, including the Calls for Justice of the National Inquiry into Missing and Murdered Indigenous Women and Girls, the Calls to Action of the Truth and Reconciliation Commission, Red Women Rising: Indigenous Women Survivors in Vancouver's Downtown Eastside, and the Highway of Tears Symposium Recommendations;

WHEREAS the BCFNJC's IWJP is grounded in these foundational reports and inquiries, does not duplicate existing First Nations efforts or compete for funding for communities or other organizations working in this space, and seeks to utilize BCFNJC's unique position to uphold and advance these imperative calls;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

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

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

Article 22(2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

WHEREAS in fall 2023, the BCFNJC engaged with title and rights holders across B.C., holding 17 engagement sessions in communities and three virtual sessions, to develop an IWJP that reflects the needs, priorities and vision of First Nations and uplifts work towards self-determination and reclamation;

WHEREAS the IWJP serves as a framework for action and sets a path for BCFNJC to advance tangible reforms with the colonial governments, including to policing, corrections, child welfare, courts, and crown as well as accountability measures for cases of Indigenous women, girls and 2SLGBTQIA+ who are missing and murdered;

WHEREAS the IWJP calls on the federal and provincial governments to collaborate with the BCFNJC to implement the 15 strategies and 42 Lines of Action (LOA), which offer a description of the steps this plan intends to take to uphold the various calls and recommendations from the multitude of reports, grassroots activists, and engagements;

WHEREAS strategies included within the plan are: Accountability; Prevention; Legal Aid & Indigenous Justice Centers; Policing; Corrections; Gladue Service Department; Access to Safety-Transportation and Cellular services; Man Camps, Resource Extraction and Land Exploitation; Crisis Response; MMIWG2S+ Fund; Child Welfare; First Nations Courts; Crown Counsel and B.C. Prosecutorial Service; 2SLGBTQIA+; Legislation and Policy. These strategies focus on Track 1 (reforming the current justice system) and Track 2 (rebuilding First Nations justice systems) pathways to change;

WHEREAS track 1 includes:

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

WHEREAS track 2 includes:

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

WHEREAS in April 2024, at the 3rd Annual BCFNJC Justice Forum, the IWJP was made public and further opportunities for feedback were facilitated; and

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

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully endorses the B.C. First Nations Justice Council’s (BCFNJC) Indigenous Women’s Justice Plan (IWJP) as called for in Strategy 11 of the B.C. First Nations Justice Strategy; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the BCFNJC to continue working collaboratively with title and rights holders and other First Nations organizations in its implementation of the IWJP to uplift ongoing work and avoid duplication. The UBCIC Chiefs Council recognizes that the IWJP does not preclude provincial and federal governments from their obligations to address gender-based violence and the MMIWG2S+ crisis within the *Declaration on the Rights of Indigenous Peoples Act* and the National Inquiry’s Calls for Justice.

Moved: Chief Jerry Jack, Mowachaht-Muchalaht First Nation
Seconded: Chief Brock Peters, Samahquam First Nation
Disposition: Carried
Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH & 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTER (STÓ:LŌ TERRITORY)

Resolution no. 2024-22

RE: Appointment to the First Nations Forestry Council

WHEREAS the First Nations Forestry Council (FNFC) is an advocacy organization that works to support First Nations in their efforts to increase their role in the governance and stewardship of forest lands and resources, as well as their participation in the forest sector;

WHEREAS the FNFC aims to promote the implementation of processes dedicated to restoring the land and ecosystem, emphasizing sustainability and environmental stewardship while collaborating closely with partner organizations, it seeks to enhance efficiencies and benefits for First Nations communities along with engaging with governmental bodies and stakeholders. FNFC ensures that First Nations' interests, values, and principles are integral to forestry-related policy and program development, advocating for inclusive policy and legislation reforms, providing support for First Nations in forest land use planning, and prioritizing holistic approaches that honour their traditional and contemporary knowledge, values, and governance systems;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

(2): States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

(2): States shall consult and cooperate in good faith with Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources;

WHEREAS by Resolution 2007-55, the UBCIC Chiefs Council supports the Declaration and Protocol of Recognition, Support, Cooperation and Coordination entered into by the Union of B.C. Indian Chiefs, as part of the First Nations Leadership Council, with the FNFC in order to coordinate political and technical strengths; and

WHEREAS the UBCIC circulated notice seeking applications for one (1) representative to the FNFC, for a permanent appointment beginning June 10, 2024, to be chosen in accordance with the UBCIC Elections Procedures and the FNFC bylaws and received one application from Michael Kelly, Leq'a:mel, who has been appointed to the position through acclimation.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council appoints Michael Kelly, Leq'a:mel, as the UBCIC representative to the First Nations Forestry Council for a three-year term commencing June 2024 until the June Chiefs Council meeting in 2027; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the UBCIC representative to the First Nations Forestry Council to provide regular updates to the UBCIC Chiefs Council and the UBCIC Executive on all agreements, legislative initiatives, and projects affecting title and rights pertaining to forestry and the First Nations Forestry Council.

Moved: Kukpi7 James Hobart, Spuzzum First Nation
Seconded: Chief Jerry Jack, Mowachaht/Muchlaht First Nation
Disposition: Carried
Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-23

RE: Modernization of B.C. Timber Sales

WHEREAS First Nations in B.C. have inherent title, rights, and jurisdiction to our respective territories, and, as the original caretakers of these territories, we continue to exercise our laws and jurisdiction to protect and steward the environment, lands and waters;

WHEREAS B.C. Timber Sales (BCTS) is a self-financing and independent program within the Ministry of Forests and manages the harvesting of about 20 percent of the Province's allowable annual cut for Crown/public timber and operates in 33 communities across B.C.;

WHEREAS BCTS' stated goal is to provide representative pricing and cost benchmarks for the timber harvested from public land in B.C.;

WHEREAS timber pricing involves appraising the value of timber by setting stumpage rates, measuring the timber and billing for stumpage and forecasting forest revenue, and this process emphasizes harvesting for the value of the trees;

WHEREAS the Province has committed to changing from a timber focus to one that prioritizes ecosystem health, but BCTS management and staff have not yet changed to reflect valuing ecosystem services and ecological and cultural values;

WHEREAS the provincial government has allowed BCTS and logging companies to over-harvest old growth and to operate with no accountability and repercussions for their infractions and compliance issues, allowing low management standards to jeopardize salmon-bearing streams and other wildlife habitat already

under duress from the climate crisis, forest fires, and carbon emissions linked to intensive development and logging;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(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.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources;

WHEREAS by Resolution 2020-23, “Implementation of an Old Growth Strategy that Protects First Nations’ Welfare and Endangered Old Growth Forests,” the UBCIC Chiefs Council called for the alignment of Ministry of Forests decisions with the principles of the UN Declaration, the Old Growth Strategic Review recommendations, and the B.C. First Nations Forestry Strategy; and

WHEREAS by Resolution 2022-32, “Implementation of OGSR Recommendations for Old Growth Forests, including Deferrals and Resilience Planning,” UBCIC called for the Province to move towards the paradigm shift and resilience planning laid out in the Old Growth Strategic Review.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls on the Province of B.C. to mandate B.C. Timber Sales (BCTS) to align all decision making with the Province’s stated goals in the Old Growth Strategic Review and the Old Growth Action Plan of expanding stable and inclusive land governance, stewardship for healthy ecosystems, and becoming a leader for system change, and to align all decision making with the *United Nations Declaration on the Rights of Indigenous Peoples*;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls for the BCTS to shift their goals from harvesting to valuation; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to work with First Nations and like-minded organizations, including the First Nations Forestry Council, to provide input to the Province in their modernization of the BCTS system.

Moved: Kukpi7 James Hobart, Spuzzum First Nation

Seconded: Chief Don Tom, Tsartlip First Nation

Disposition: Carried

Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-24

RE: Wood Pellet Manufacturing

WHEREAS First Nations have the right and responsibility to manage, protect and make decisions concerning their traditional territories. These rights and responsibilities are at the root of Indigenous Nationhood and the highest expression of inherent title and rights;

WHEREAS Canada is the third largest exporter of wood pellets in the world, and international energy companies own the majority of wood pellet facilities in B.C., resulting in an industry that produces wood pellets which are sold at a utility-scale to countries in Europe and Asia;

WHEREAS utility-scale exportation is the export of enough wood pellets to be used to generate electricity;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 26(1): Indigenous peoples have the right to the lands, territories, and resources that they have traditionally owned, occupied, used, or acquired.

(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.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection without discrimination.

Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources;

WHEREAS UBCIC Resolution 2022-32 “Implementation of OGSR Recommendation for Old Growth Forests, including Deferrals and Resilience Planning” urged the province to ensure transparency on forestry-related decisions that are fully compliant with Free, Prior and Informed Consent;

WHEREAS verified wood waste is the residual waste from sawmills, shavings, chips and forest residues;

WHEREAS wood pellets are not carbon neutral, and burning wood pellets for energy is a false climate solution that emits more CO₂ at the smokestack than coal; and

WHEREAS the value-added sector is increasingly producing wood pellets through logging whole trees from primary forests in B.C., and these products are then moved out of the local area, resulting in minimal benefit to the local communities.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls on the Province to create a policy requiring the wood pellet industry to exclusively use sawmill waste in the creation of wood pellets and not log primary forests for this value-added sector;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the Province and Canada to enact provincial forestry reform in partnership with First Nations, working alongside the First Nations Forestry Council, investing in long-lasting, lower impact practices, including local, value-added milling and managing forests for ecological values;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls for the wood pellet industry to use only verified wood waste that is not produced from cutting down living trees and/or to support First Nations and community-driven projects designed to meet local needs for heat and power rather than utility-scale for export markets; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive and staff to work with the Province and like-minded organizations to develop policy benefiting the value-added sector and the environment.

Moved: Chief Aileen Prince, Nak’azdli Whut’en
Seconded: Councillor Mary Jack, Okanagan Indian Band (Proxy)
Disposition: Carried
Date: June 11, 2024

**UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
JUNE 10TH – 11TH, 2024
SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)**

Resolution no. 2024-25

RE: Support for the Creation of a First Nations Power Authority in B.C.

WHEREAS Indigenous peoples have the right and responsibility to manage, protect and make decisions with respect to their traditional territories and these rights and responsibilities are at the root of Indigenous Nationhood and the highest expression of Indigenous rights;

WHEREAS on June 15, 2023, the Province of B.C. announced that we will experience a clean energy deficit by 2028 and that B.C. Hydro would undertake a competitive Call for Power for approximately 3,000 GWh per year of new, clean generation and 700GWh from existing facilities;

WHEREAS the First Nations Energy and Mining Council proposes to set aside a minimum 25 percent of the 3,700 GWh 2023 Call for Power, to be exclusively supplied by projects that are entirely or majority owned and controlled by First Nations i.e. a First Nations Call for Power;

WHEREAS the January 15th, 2024, Ministerial Mandate letter for the Minister of Energy, Mines and Low Carbon Innovation requires the Minister to “Work with B.C. Hydro to implement its Electrification Plan and to ensure the province is well positioned to electrify B.C.’s economy and industry, including options for Indigenous ownership and/or equity interest in B.C. Hydro infrastructure and Indigenous partnership in clean energy projects”;

WHEREAS B.C. Hydro issued a public request for proposals for the Call for Power on April 3, 2024, with proposals due September 16, 2024;

WHEREAS the Province of B.C. has announced their intention to hold future Calls for Power in addition to a funding allocation of \$140M provided to the New Relationship Trust (NRT) B.C. Indigenous Clean Energy Initiative for “Small-Scale First Nation Clean Energy projects,” and the NRT released a draft discussion paper on the \$140M program on May 22, 2024;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(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.

(3): States shall give legal recognition and protection to these lands, territories and resources. Such

recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned;

WHEREAS despite legislated commitments to the UN Declaration, the Ministry of Energy Mines and Low Carbon Innovation has undertaken several changes to the *Clean Energy Act* including, the removal of the Standing Offer Program (SOP) from the *Clean Energy Act* without providing a replacement, without following the *Declaration Act Section 3 Interim Guidance*, and without consultation with First Nations title and rights holders;

WHEREAS a primary objective of the creation of the SOP program in 2008 was to increase First Nations participation in the sector, and many projects were First Nations led and majority owned. However, as part of the Comprehensive review of BC Hydro (2018-2020) a decision was made to cancel the SOP. At the time of the program review in 2018, 25 projects were successfully permitted and received EPAs and over a dozen projects remained in the application stage. An SOP replacement program is needed as the competitive approach to pricing currently being applied by B.C. Hydro puts First Nations SOP projects at a disadvantage;

WHEREAS Clean Energy B.C. is an industry association with 96 B.C. First Nation members, that promotes the growth of B.C.'s clean energy industry by advocating for environmentally responsible and viable power generation, transmission, and management resources that serve the public by providing cost effective electricity;

WHEREAS Clean Energy B.C. has reviewed the NRT's draft discussion paper on the \$140M B.C. Indigenous Clean Energy Initiative and has provided feedback. Of primary concern is the timing of when those funds will be accessible and the proposed approach to pricing for the associated electricity purchase agreements. The program in its current form does not deliver the same financial predictability for First Nations as the repealed SOP;

WHEREAS Clean Energy B.C. has identified the institutional gaps that exist in delivering on First Nations expressed objectives in the sector and will be leading the development of a First Nations led power authority in B.C. to provide:

- 1) Coordination among First Nations, government, and industry for the purposes of regulating funding and financing programs, equity and non-equity benefits, technical skills training, and capacity building for First Nations.
- 2) Direct advisory services to First Nations on individual clean energy project assessments, project considerations in relation to First Nations rights, partnership agreements, and negotiations.
- 3) Sectoral expertise in the development of resource planning and policy specific to the clean electricity sector;

WHEREAS Declaration Act Action Plan item 4.43 requires that the Province "Co-develop recommendations on strategic policies and initiatives for clean and sustainable energy. This includes identifying and supporting First Nations-led clean energy opportunities related to Clean Energy BC, the Comprehensive Review of B.C. Hydro, and the B.C. Utilities Commission Inquiry on the Regulation of Indigenous Utilities.";

WHEREAS the B.C. Utilities Commission (BCUC) Indigenous Utilities Inquiry Final Report Recommendations (2020) included "Section 52 of the UCA be amended to require the BCUC to consider UNDRIP and the economic development needs of a First Nation seeking to acquire public utility assets" and "The UCA be amended to require the BCUC to consider the principles of UNDRIP when considering the CEA energy objective to "foster the development of first nation... communities..."; and

WHEREAS a First Nations power authority in BC should be led by First Nations in B.C. for First Nations in B.C and should be resourced by the provincial and federal governments.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the B.C. Assembly of First Nations and First Nations Summit as the First Nations Leadership Council, to work with Clean Energy B.C. and other like-minded organizations to prepare a proposal for a B.C. First Nations Power Authority for Chiefs consideration in fall 2024 that upholds the authority of all First Nations in B.C.;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to advocate to the Ministry of Energy Mines and Low Carbon Innovation and BC Hydro, that any future Calls for Power must have a proportion of desired power set aside exclusively for a First Nations Power Authority where eligible projects are entirely or majority owned and controlled by First Nations; and

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs Council directs the UBCIC Executive to advocate to the Ministry of Energy Mines and Low Carbon Innovation for a replacement to the previous Standing Offer Program that provides opportunities for First Nations in clean energy development.

Moved: Chief Don Tom, Tsartlip First Nation
Seconded: Chief Brock Peters, Samahquam
Disposition: Defeated
Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-26

RE: Reducing the Impacts of Alaskan Interception Fisheries

WHEREAS wild Pacific salmon have sustained First Nations people and homelands for countless generations, and their numbers are now in steep decline due to an array of management failures;

WHEREAS First Nations and the governments of British Columbia and Canada have significantly curtailed fisheries in recent years and enacted multi-million-dollar funding programs to conserve and restore salmon populations and their habitats;

WHEREAS Alaskan interception fisheries, where incoming salmon is harvested before entering Canadian waters, have not declined in recent years and are now the largest source of direct mortality for many of the salmon populations First Nations depend on, putting food security, culture, economies and ecosystems at risk;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(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.

(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

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

2024-26

Page 1 of 3

peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

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 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

Article 32(2): States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization, or exploitation of mineral, water, or other resources;

WHEREAS UBCIC Resolution 2022-28 “Protecting Wild Salmon Habitat” called on the government to prioritize and commit to the protection and enhancement of wild salmon and salmon habitat, including passing biodiversity legislation that addresses wild salmon management and protection of salmon habitat;

WHEREAS commercial fisheries in Southeast Alaska are failing to implement basic management and information-sharing that is required in salmon fisheries in British Columbia, including live release and accounting of bycatch, genetic stock identification of target and non-target catches (to determine rivers of origin), and fishery-independent catch verification;

WHEREAS the Pacific Salmon Treaty is an agreement made between the United States and Canada and signed in March 1985 to cooperate in the management, research and enhancement of Pacific salmon stocks of mutual concern; and

WHEREAS the Pacific Salmon Treaty is failing to achieve its stated principles of preventing overfishing, ensuring equitable benefits, cooperation and reducing interceptions.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls upon the governments of the United States of America and Canada, Alaska and British Columbia to work together through multilateral cooperation to fully ascertain the impacts of Alaskan interceptions on non-Alaskan-origin salmon populations by accounting for and reporting all catches and discards, and collecting and reporting representative genetic stock identification for all commercial fisheries;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls upon the governments of Canada and British Columbia to acknowledge the serious impacts of Alaskan interceptions on non-Alaskan-origin salmon and use all available diplomatic and economic tools to prevent Alaska from further over-harvest of Pacific salmon originating from our traditional territorial lands and waters;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls upon the governments of the United States of America and Alaska to immediately reduce Alaskan interceptions of non-Alaskan origin salmon to levels that support the conservation and rebuilding of depleted salmon populations and uphold First Nations exercising their food sovereignty;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls upon the governments of Canada and British Columbia to further support the conservation of healthy salmon populations and the rebuilding of depleted salmon populations by advancing habitat protections in salmon-bearing watersheds; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to call upon the governments of the United States of America, Canada, Alaska, British Columbia, and the impacted U.S. Tribes to work together through multilateral cooperation, in consultation with First Nations, to revise the chapters of the Pacific Salmon Treaty to ensure its core principles are being met, with interim measures implemented as soon as possible ahead of the 2028 Treaty renewal.

Moved: Kukpi7 James Hobart, Spuzzum First Nation

Seconded: Kukpi Lee Spahan, Coldwater Indian Band

Disposition: Carried

Date: June 10, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH & 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-27

RE: Support for Indigenous Tourism British Columbia to Develop a B.C. First Nations-Led Tourism Destination Fund

WHEREAS Indigenous Tourism British Columbia (ITBC) is a provincial Indigenous cultural tourism sector organization established in 1996-1997 (as Aboriginal Tourism Association of British Columbia [AtBC]) that supports training, product development, and marketing of culturally rich Indigenous tourism products and services on behalf of Indigenous communities and entrepreneurs in what is now known as British Columbia (B.C.) and is recognized as an international leader in supporting the development of authentic Indigenous cultural tourism experiences;

WHEREAS First Nations in B.C. are the proper title and rights holders within our respective territories, with inherent, constitutional, and human rights, and with inherent laws, legal systems, systems of governance, and jurisdictions which First Nations have applied and exercised throughout the entirety of our territories prior to contact, and which continue to exist and be applied and exercised throughout the entirety of our territories today;

WHEREAS a pan-Indigenous Indigenous Tourism Destination Fund (ITDF) has been established by the Indigenous Tourism Association of Canada (ITAC) to enable businesses and individuals to contribute to reconciliation efforts in Canada by supporting the development of the Indigenous tourism industry;

WHEREAS as currently administered by ITAC, the ITDF is utilized to invest in infrastructure, human resources, and development and marketing projects that benefit communities across the country, thereby contributing to support ITAC's core funding;

WHEREAS ITAC has not adequately engaged nor consulted with First Nations in B.C. or ITBC in developing and implementing the ITDF, and the transparency of ITAC's utilization of funds from the ITDF is

a concern for both First Nations in B.C. and ITBC who are uncertain about how these funds are allocated for Indigenous tourism initiatives in B.C.;

WHEREAS First Nations in B.C. and ITBC are concerned the ITDF may lead local businesses and their clients to believe that they are fulfilling their responsibility to participate in reconciliation with local First Nations in their respective areas when First Nations in B.C. may not be involved in the ITDF at all;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:

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

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

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

Article 32: Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources;

WHEREAS not all rights are uniform or the same among or between Indigenous peoples and the extent to which they can be validly exercised depends on the context. A proper distinctions-based approach requires that Crown governments' relationship and engagement with First Nations, Métis, and Inuit individuals and organizations in B.C. must include different approaches or actions and result in different outcomes; and

WHEREAS in 2008, AtBC (now ITBC) and the First Nations Leadership Council entered a Declaration & Protocol of Recognition, Support, Cooperation and Coordination to ensure that First Nations in B.C. are active participants in the development of any tourism-related fee programs within their jurisdictions.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports Indigenous Tourism British Columbia's efforts to develop a distinctions based, local First Nations and provincial approach for a B.C.-based and First Nations-led, "B.C. First Nations Tourism Destination Fund" in place of the Indigenous Tourism Association Canada's inappropriate and pan-Indigenous Indigenous Tourism Destination Fund; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive and staff to work with Indigenous Tourism British Columbia to support the development of the B.C. First Nations-led "B.C. First Nations Tourism Destination Fund" to ensure its development, analysis, and implementation are fully aligned with the UN Declaration and support the advancement of First Nations title and rights in B.C.

Moved: Kukpi Lee Spahan, Coldwater Indian Band
Seconded: Chief Jerry Jack, Mowachaht-Muchalaht First Nation
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-28

RE: Increased Federal Support for First Nations Post-Secondary Education and Adult Secondary Education

WHEREAS First Nations have the right to establish and control their educational systems and institutions as an aspect of their inherent rights to self-determination and self-government, as affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration)* and as recognized and affirmed under section 35 of the *Constitution Act, 1982*;

WHEREAS First Nations in B.C. have worked for more than two decades to build the B.C. First Nations Education System, premised fundamentally on quality education for First Nation students and First Nations control of First Nations education;

WHEREAS the First Nations Education Steering Committee (FNESC) has been working under the direction of B.C. First Nations to develop a B.C. First Nations Tripartite Post-Secondary Education Model (B.C. PSE Model), which is premised on the principle of First Nations control of education and will fundamentally transform the post-secondary system in B.C.;

WHEREAS despite the federal government's commitments to implement the *UN Declaration* and the Calls to Action of the Truth and Reconciliation Commission of Canada, federal funding is inadequate to support First Nations learners' access to and success in post-secondary education;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2024-28

Page 1 of 3

(2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

(3): States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including

Article 21(1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

Article 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities;

WHEREAS the federal *United Nations Declaration on the Rights of Indigenous Peoples Act* requires Canada, in consultation and cooperation with Indigenous peoples, to take all measures necessary to ensure that the laws of Canada are consistent with the *UN Declaration*, and to develop and implement action plans to achieve the objectives of the *UN Declaration*;

WHEREAS the 94 Calls to Action from the Truth and Reconciliation Commission of Canada include:

Action 7: We call upon the federal government to develop with Aboriginal groups a joint strategy to eliminate educational and employment gaps between Aboriginal and non-Aboriginal Canadians.

Action 11: We call upon the federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education;

WHEREAS by Resolution 2022-10, the Chiefs Council affirmed its support for the continued development of the B.C. PSE Model, which includes four pillars: *First Nations Learners*; *First Nations-Mandated Post-Secondary Institutes*; *Community-Based Program Delivery*; and a *Respectful and Responsive Public Post-Secondary System*;

WHEREAS in Budget 2024, the federal government committed to renew the Budget 2019 funding enhancement to the federal government's Post-Secondary Student Support Program (PSSSP) budget and will provide \$242.7 million nationally over three years; however, this funding enhancement is not permanent, and funding remains inadequate to support all eligible First Nations learners seeking post-secondary education;

WHEREAS since 2020-21, FNESC, in partnership with the Indigenous Adult and Higher Learning Association, has been administering the federal government's Post-Secondary Partnerships Program (PSPP) in the B.C. region through a B.C.-specific, First Nations-led approach, in alignment with *Pillar Three: Community-Based Program Delivery* of the B.C. PSE Model;

WHEREAS B.C. region's allocation of PSPP funding of approximately \$2.3 million annually is inadequate to meet the needs of 204 First Nations and does not allow for the funding of multi-year programs. The federal government committed \$350 million in funding nationally for the First Nations Adult Secondary Education (FNASE) program from 2022-23 to 2026-27, and B.C. region's funding allocation of \$6 million per year is being distributed to First Nations as adaptations to the B.C. Tripartite Education Agreement funding formula for students 22 and older, and through the PSPP to support community-based adult education programs offered by First Nations in partnership with post-secondary institutions;

WHEREAS the \$350 million in national funding for the FNASE program must be permanently extended to better meet the needs of First Nations adult learners in B.C. Federal government programs, such as PSSSP

and PSPP, are subject to federally determined National Program Guidelines that do not reflect the principle of First Nations control of First Nations education or regional First Nations' priorities;

WHEREAS by UBCIC Resolution 2023-67, the UBCIC Chiefs-in-Assembly called upon FNESC to develop regional policy and guidelines, under the direction of First Nations, for the administration of both federal and provincial funding for First Nations community-based delivery of post-secondary programs that will supersede existing policies and guidelines established by the federal and provincial governments; and

WHEREAS consistent with First Nations control of First Nations education, regional program guidelines developed by First Nations must supersede national and provincial program guidelines, providing increased flexibility and streamlined reporting requirements.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls on the government of Canada to:

- permanently extend the Budget 2024 enhancement to the Post-Secondary Student Support Program (PSSSP), and to increase PSSSP funding to adequately and sustainably support all eligible First Nations learners seeking a post-secondary education, as called for by the Truth and Reconciliation Commission of Canada;
- increase the B.C. region's annual funding allocation for the Post-Secondary Partnerships Program to meet existing and future needs for First Nations community-based post-secondary programming;
- permanently extend the First Nations Adult Secondary Education program beyond the 2026-27 fiscal year; and
- increase the funding to better meet the needs of First Nations adult learners in B.C.

Moved: **Melissa Moses, UBCIC Women's Representative**

Seconded: **Chief Victor Isaac, 'Namgis First Nation**

Disposition: **Carried**

Date: **June 11, 2024**

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH & 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTER (STÓ:LŌ TERRITORY)

Resolution no. 2024-29

RE: Increased Access to Treatment for End-Stage Organ Failure, Organ Donation and Transplantation for First Nations in B.C.

WHEREAS First Nations in B.C. experience end-stage organ failure at disproportionately high and growing rates as compared to non-Indigenous patient populations. First Nations patients, particularly those living in remote, northern, and rural areas, face significant challenges when accessing timely and appropriate treatment for end-stage organ failure, including organ transplants. First Nations patients are also younger and are more likely to live with comorbidities that contribute to quicker declines in health; are more likely to live in remote areas and travel much further to receive treatment; are less likely to receive an organ transplant, even after controlling for factors such as age, sex and health status; and tend to have lower patient survival rates in the period following initial treatment. First Nations patients are also less likely due to the complexity of factors that impact their healthcare to be placed on transplant lists;

WHEREAS the Governments of B.C. and Canada have committed to achieving reconciliation with Indigenous peoples and pursuing relationships with Indigenous partners based on recognition of rights, respect, co-operation and partnerships, including addressing entrenched and egregious inequities in healthcare experienced by Indigenous peoples;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 7(1): Indigenous peoples have the rights to life, physical and mental integrity, liberty and security of person.

Article 21(1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

Article 24(1): Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicine plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

WHEREAS B.C. and Canada generally, experience a shortage of available organs for transplantation. In 2022, 3,777 people were waiting for an organ transplant, 2,936 received transplants and 270 people died while waiting on the transplant list;

WHEREAS First Nations people are less likely to be registered to be organ or tissue donors than non-Indigenous people. First Nations hold traditional and cultural views about the body, spirituality, personhood, and gift giving that supports or deters individuals from choosing to be an organ and/or tissue donor or to be willing to receive a transplant. Many First Nations also hold limited knowledge about, or experience with, organ and tissue donation and transplantation, largely due to a lack of culturally appropriate public education about organ and tissue donation and transplantation being available;

WHEREAS by UBCIC Resolution 2019-54, the UBCIC Chiefs-in-Assembly condemned policies and procedures that do not address or acknowledge the trauma inflicted upon Indigenous people when accessing healthcare, thereby exacerbating existing issues. Further, the Chiefs-in-Assembly called upon the governments of B.C. and Canada to adopt trauma-informed and culturally sensitive practices that are rooted in compassion and attuned to cultural and spiritual needs;

WHEREAS the challenges First Nations patients and their families face when seeking organ and tissue donation and transplantation are further increased due to a lack of attention by government healthcare decision makers and organ and transplant programs to their specific circumstances and needs. Intersecting determinants of health such as poverty, remoteness and systemic racism; a lack of research data documenting First Nations patients' needs for, and experience with, donation and transplantation medicine; and insufficient or inappropriate communication by healthcare providers about treatment options such as living kidney and liver donation, and transplant timelines all negatively contribute to the medical journey of First Nations patients living with end-stage organ failure, including their journey to receive a transplant;

WHEREAS limited data exists documenting the experience of First Nations people living with end-stage organ failure who require a transplant. Further, gaps in data contribute to inaction by healthcare decision makers and donation and transplant programs. A lack of awareness of the systemic challenges and racism experienced by First Nations donation and transplant patients contributes to the persistent inequities in donation and transplant medicine;

WHEREAS in 2018, Health Canada, provincial and territorial health officials (excluding Quebec and including British Columbia), Canadian Blood Services (CBS), patient and family advocates, clinicians, and researchers established the Organ Donation and Transplantation Collaborative to achieve ODT system improvements that result in better patient outcomes and an increase in the number and quality of successful transplantations. As part of the Collaborative, the Organ Donation and Transplantation Governance Committee was established as well as the Pan-Canadian ODT Data and Performance Reporting System co-lead by Health Canada, the Canadian Institute for Health Information (CIHI) and Canada Health Infoway (Infoway). The latter was created to identify decision-making and accountability mechanisms for ensuring timely, effective and equitable access to ODT services across Canada; and

WHEREAS the Organ Donation and Transplantation Collaborative acknowledges a lack of engagement with First Nations, Inuit and Métis healthcare leaders, persons with lived experience, and researchers in the development of the Pan-Canadian Governance Framework for Organ Donation and Transplantation and has recommended the Organ Donation and Transplantation Governance Committee establish an engagement strategy to meaningfully embed First Nations, Inuit, and Métis voices and perspectives into the priorities and activities of the ODT governance work, with the goal of advancing Indigenous health priorities in the ODT system.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive and staff to work with the Pan-Canadian Organ Donation and Transplantation (ODT) Governance Committee and B.C. Transplant and liaise with the First Nations Health Authority and other like-minded organizations, on increasing culturally safe and effective healthcare pathways for First Nations living with end-stage organ failure and who require a transplant;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chief Council directs the UBCIC Executive and staff to work with the Pan-Canadian ODT Data and Performance Reporting System co-leads and liaison with the First Nations Health Authority, and the BC First Nations Regional Information Governance Centre in establishing processes for First Nations decision-making and accountability mechanisms based upon the principles of First Nations Ownership, Control, Access and Possession (OCAP) of all research development, implementation and analysis involving First Nations with the goal of identifying and implementing timely, effective and equitable access for First Nations to ODT services in British Columbia; and

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chief Council directs the UBCIC Executive to call on the Assembly of First Nations (AFN) to mirror this resolution and advocate for end-stage organ failure and organ donation and transplantation to be made a healthcare priority across First Nations, including advocating to provincial/territorial Ministries of Health and Health Canada for development of culturally safe and appropriate public education about end-stage organ failure and organ donation and transplantation; the creation of a national Indigenous organ donation and transplantation think tank made up of First Nations and other Indigenous healthcare leaders, persons with lived experience (patients, family members, caregivers), clinicians, and researchers to inform Indigenous healthcare leaders on issues related to ODT; involvement of First Nations in the Pan-Canadian Organ Donation and Transplantation Collaborative and the Pan-Canadian ODT Data and Performance Reporting System.

Moved: Kukpi7 James Hobart, Spuzzum First Nation

Seconded: Chief Victor Isaac, 'Namgis First Nation

Disposition: Carried

Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-30

RE: Creating a Centralized MMIWG2S+ Database

WHEREAS the UBCIC and the Coalition on Missing and Murdered Indigenous Women, Girls, and Two-Spirit People in B.C. (the Coalition)¹ have long advocated for action from all levels of government and parts of society to stop the genocide against Indigenous women, girls and two-spirit+² people;

WHEREAS the Coalition has been central in advocating for an end to systemic gender-based violence (GBV) and has presented policy solutions at all levels of government including for improved data, reporting, and investigations of cases of MMIWG2S+ to eliminate gaps and promote accountability and justice in line with the Calls for Justice;

WHEREAS UBCIC and the Coalition have continued to hold discussions on the critical need for a centralized database that logs and tracks cases of MMIWG2S+, including cold cases, particularly as rates of GBV have dramatically increased since the COVID-19 pandemic in what the United Nations has labelled a Shadow Pandemic. Despite independent tracking efforts to fill the gap, there remains an urgent need for consistent, quality data with respect to MMIWG2S+;

WHEREAS no one knows exactly how many Indigenous women, girls, and two spirit+ people are missing or have been murdered in B.C., because no single agency is tracking that information. It took multiple crises of horrific proportions to recognize the scale of the MMIWG2S+ crisis, such as cases along the Highway of Tears, Vancouver's Downtown Eastside, and the Robert Pickton Case. There is still no solid number of those who have been missing or murdered—only best guesses and some pockets of visibility due to the tireless work of volunteers, Indigenous organizations, survivors, and affected families;

¹ The Coalition is a broad network of individuals, grassroots, and social justice organizations with deep knowledge, expertise, and lived experience of discrimination and violence, including family members and friends of murdered and disappeared women, girls and Two-Spirit+ people who came together to address the ongoing crisis of MMIWG2S+ in B.C., and across Canada and beyond.

² Two-Spirit, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Asexual+.

WHEREAS police services have failed to conduct good census-taking practices while investigating reported cases, resulting in miscounts of Indigenous women, girls and two-spirit+ people who were among the missing and murdered, and crown governments have been slow to implement the calls for justice or address data gaps;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

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

Article 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.

Article 7(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 22(1): Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

(2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 31(1): Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. **(2):** In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights;

WHEREAS the *National Inquiry into Missing and Murdered Indigenous Women and Girls* (the National Inquiry)'s Call for Justice 9.5(V) calls for “a database to create a national strategy, through the Canadian Association of Chiefs of Police, to ensure consistency in reporting mechanisms for reporting missing Indigenous women, girls, and 2SLGBTQIA people. This could be developed in conjunction with implementation of a national database”;

WHEREAS by Resolution 2023-10, UBCIC commissioned a discussion paper, “More than Opportunity Lost: A Discussion Paper on Creating a MMIWG2S+ Database”. This paper identifies: what a MMIWG2S+ database means; current challenges involved in data collection and mapping MMIWG2S+ cases in B.C.; what real or perceived barriers exist, including governance, practical, and funding considerations; impacts on victim and family wellbeing; and the opportunities for learning from work on dedicated databases currently underway in other jurisdictions, which provide some valuable lessons to guide thinking on this issue in B.C.;

WHEREAS according to “More than Opportunity Lost”, a permissive policy environment already exists for the creation of a national MMIWG2S+ database. The development of a clear national proposal and associated costing for a MMIWG2S+ database, endorsed by Indigenous Peoples, could create sufficient clarity and pressure to unstick this issue. This could be formed through a national or regional gathering supported by a discussion paper similar to “More than Opportunity Lost.” This could potentially inform the National Action Plan to End Gender-Based Violence or be embedded as a commitment in the anticipated national Indigenous justice strategy;

WHEREAS a National MMIWG2S+ database can help investigations into those who have gone missing or have been murdered, help design and deliver prevention measures, offer accountability and support families of the

missing and murdered, letting them know that their loved ones are not forgotten. Further, consistent and validated approaches to data gathering will expose realities and create necessary urgency for action;

WHEREAS United States’ legislation and other examples of intergovernmental agreements provide assurances that a legal framework that supports an MMIWG2S+ database is entirely possible, and the proposed MMIWG2S+ database would be served by a legislative framework that would mandate interjurisdictional cooperation on such a database, and standardization in collecting Indigenous identifiers in reported disappearances or deaths, classifying investigations, and reporting for database purposes. However, this work need not wait for a legislative solution, as intergovernmental agreements can provide sufficient clarity;

WHEREAS it is crucial that a database framework includes requirements for respecting Indigenous data sovereignty. Despite the recommendation of the National Inquiry, a national database operated by police services is not the preferred option for many Indigenous people citing concerns with data sharing with police and government. Indigenous people, family members and survivors must be consulted on the use of their loved one’s data; and

WHEREAS establishment of any MMIWG2S+ database must be led by survivors, families, Indigenous communities, and Indigenous service organizations, supported by strong political and policy mandates.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council endorses the recommendations of the UBCIC discussion paper “More than Opportunity Lost: A Discussion Paper on Creating a MMIWG2S+ Database”;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council fully supports the development of a National MMIWG2S+ Database to uphold the rights of victims and support ongoing investigations into those who have gone missing or have been murdered; to deliver prevention measures; uphold accountability; support families of the missing and murdered; and create consistent and validated data collection to highlight the urgency of the crisis; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council calls on the government of Canada working across government and in collaboration with families and survivors of MMIWG2S+, justice actors, existing database holders, and Indigenous Nations, in a distinctions-based manner, to:

- engage families and seek their consent on the use of their loved ones’ data;
- respond directly to the *National Inquiry into Missing and Murdered Indigenous Women and Girls’* Call for Justice 9.5(V) in the implementation of a centralized database and report out on progress;
- create a clear national proposal and associated costing for a MMIWG2S+ database to be endorsed by Indigenous peoples;
- fund the development of a centralized MMIWG2S+ database that spans regions and borders and which is culturally sensitive, offers linguistically accessible support services, and links to missing person reports;
- provide sustainable resourcing, staffing, and regular updates, monitoring and maintenance of the database;
- provide cultural and psychosocial supports for individuals working with the database.

Moved: Melissa Moses, UBCIC Women’s Representative

Seconded: Katisha Paul, UBCIC Youth Representative

Disposition: Carried

Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-31

**RE: Increasing the Overall Specific Claims Research and Development Budget
to Ensure Access to Justice**

WHEREAS the historical actions illegally undertaken by the colonial governments of British Columbia and successive governments of Canada have resulted in the dispossession of First Nations, including the illegal alienation of our lands; the creation of and subsequent failure to protect Indian reserves, villages and fishing areas; the systematic denial of rights to fish and access to water; and the illegal disruption and removal of sacred sites and grave sites;

WHEREAS these historical and ongoing losses are the result of false, racist premises such as *terra nullius* and the doctrines of discovery and denial. These concepts provided colonial governments justification for alienating land through the Western notion of private land, and organized systems of pre-emption and land grants to accelerate non-Indigenous settlement on First Nations territories, and later through systems of land alienation legalized and exploited under the *Indian Act*, often in clear violation of the minimal protections contained in colonial or federal law. These acts of land dispossession ignored Indigenous laws, protocols, and systems of governance;

WHEREAS redress for these historical wrongs is Canada's lawful obligation, and the honour of the Crown necessitates rightful action on the part of the federal government, and the full, fair negotiation of all claims;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, 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; (c): Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights.

2024-31

Page 1 of 3

Article 19: States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 27: States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

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.

(2): Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights;

WHEREAS UBCIC Resolution 2023-66 calls on Canada to work in full partnership with First Nations to attain a substantial increase in the budgetary allocation for specific claims research funding to ensure First Nations' access to justice for their historical losses as required under the *United Nations Declaration on the Rights of Indigenous Peoples*;

WHEREAS to date, Canada has taken no steps to address this issue with First Nations, either through the Specific Claims Branch (SCB) or through its funding allocation body, the Cross Section Initiative (CSI); the Minister has also not replied to open letters sent to him in July and December 2023 by the National Claims Research Directors or the many First Nations across Canada who sent letters of endorsement;

WHEREAS in late 2023, Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) returned over \$1 billion in unused funds, a small portion of which could have been repurposed to support the research and development of claims;

WHEREAS the federal budget released on April 16, 2024, renewed claims research and development funding for a two-year period without increasing the overall annual budget, which remains set at \$12 million. Data supplied by CSI in May 2024 shows that in the current (2024-25) fiscal year, there will be a \$14.7 million funding shortfall, jeopardizing First Nations' access to justice and redress of their historical claims;

WHEREAS representatives from the Specific Claims Branch (SCB) have publicly stated that addressing the research funding shortfall will be discussed in the context of ongoing reform work and will not be addressed in the immediate term, a statement repeated by the Minister of CIRNAC when he met with the BC Specific Claims Working Group on March 7, 2024; and

WHEREAS Canada's continuing failure to provide adequate resources to research and develop specific claims is creating enormous hardship and upheaval for First Nations forced to suspend their work and will increase the financial costs of resolving these claims exponentially, as well as heighten the possibility that

First Nations will take direct, on the ground action, seeing it as the only viable means of seeking redress for their historical grievances.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls on Canada to work in full partnership with First Nations in the immediate term to secure adequate funding for all First Nations applicants who submitted proposals for research and development funding in the 2024-25 fiscal year; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council urges Canada to work in full partnership with First Nations toward attaining a stable and substantial increase in the budgetary allocation for specific claims research funding overall to ensure First Nations' access to justice for their historical losses, as required under the *United Nations Declaration on the Rights of Indigenous Peoples*.

Moved: Chief Dan Manuel, Upper Nicola Band
Seconded: Kukpi Lee Spahan, Coldwater Indian Band
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-32

RE: Support for Tripartite MOU on First Nations Early Learning and Child Care

WHEREAS First Nations peoples have always maintained jurisdiction over the care of their children, which includes the care, teachings, and responsibility of children in early learning and child care settings;

WHEREAS on July 7, 2021, Canada and B.C. signed the Canada-British Columbia Canada-Wide Early Learning and Child Care Agreement (Agreement), in which they commit to work collaboratively with Indigenous Governing Bodies and organizations to implement the Agreement and to support Indigenous-led, culturally safe and accessible Early Learning and Child Care programming in British Columbia (ELCC);

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 13(1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

(2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

(3): States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own

language;

WHEREAS through resolutions at the Chiefs' Assemblies, the Chiefs in B.C. directed UBCIC, the First Nations Summit (FNS), and the B.C. Assembly of First Nations (BCAFN), working together as the First Nations Leadership Council (FNLC), to wholly reform the current Indigenous child welfare system in B.C. (UBCIC Resolution 2016-44, 2017-06, & 2022-52, FNS Resolution 1016.11, 0217.19, & 1022.04; BCAFN Resolution 22/2016, 06/2017, & 32-2022), which includes ELCC;

WHEREAS through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2022-51, FNS Resolution 1022.05, & BCAFN Resolution 31/2022), the Chiefs in B.C. directed UBCIC, FNS, and the BCAFN, working as the FNLC, to continue engaging with the provincial and federal governments, along with the First Nations Education Steering Committee (FNESC) and the B.C. Aboriginal Child Care Society (BCACCS), as appropriate, on ways to best support First Nations with ELCC in their communities and with regard to any implications for First Nations education;

WHEREAS the FNLC, the Government of Canada (represented by Employment and Social Development Canada), and the Government of British Columbia (represented by the Ministry of Education and Child Care) prepared a draft memorandum of understanding (MOU) in 2023 to establish a formalized process to engage in regular dialogue on ELCC for First Nations in B.C., and on related issues of mutual interest and concern;

WHEREAS through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2023-27, FNS Resolution 1023.11, & BCAFN Resolution 20/2023), the Chiefs in B.C. :

- (1) supported-in-principle the draft Tripartite MOU;
- (2) directed the UBCIC, the FNS, and the BCAFN, working as the FNLC, to prepare a finalized Tripartite MOU, with Canada and B.C. on Indigenous ELCC, with the assistance of FNESC and BCACCS; and
- (3) directed the UBCIC, the FNS, and the BCAFN, to sign the finalized Tripartite MOU, if there are no significant changes to the principles or content of the draft Tripartite MOU, and to work together as the FNLC, with the assistance of FNESC and BCACCS, on an implementation work plan;

WHEREAS significant changes have been made to the content of the draft Tripartite MOU since the Chiefs in B.C. directed the UBCIC, the FNS and the BCAFN to finalize and sign it, through further dialogue with Canada and B.C.; and

WHEREAS a revised draft Tripartite MOU has been shared with the UBCIC Chiefs Council for their consideration which confirms and sets out a mutual commitment of the parties to collaborate, dialogue, and jointly take action on issues and initiatives related to ELCC as self-determined by First Nations in B.C. It acknowledges and is informed by First Nations inherent rights to self-determination including the right to control the design, delivery and administration of an ELCC system for First Nations that reflects their unique needs, priorities and aspirations.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the revised draft Tripartite Memorandum of Understanding (MOU) on First Nations Early Learning and Child Care between the UBCIC, the First Nations Summit (FNS), and the B.C. Assembly of First Nations (BCAFN), working together as the First Nations Leadership Council (FNLC), the Government of Canada (represented by the Minister of Families, Children and Social Development), and the Government of British Columbia (represented by the Ministry of Education and Child Care and the Minister of State for Child Care);

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to sign the revised draft tripartite MOU, and work with the FNS and BCAFN, as the FNLC, and with the assistance of First Nations Education Steering Committee (FNESC) and B.C. Aboriginal Child Care Society (BCACCS), on its implementation;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the federal and provincial governments to provide permanent, reliable, and appropriate funding for the FNLC, FNESC, and BCACCS, to be full and equal partners in this MOU, and for funding to support First Nations for their participation in implementation; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to work with the FNS and BCAFN, as the FNLC, and with FNESC, and BCACCS to provide regular reports to the UBCIC Chiefs Council on implementation of the MOU.

Moved: Chief Don Tom, Tsartlip First Nation
Seconded: Katisha Paul, UBCIC Youth Representative
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-33

RE: Rejection of Residential School Racist Denialism

WHEREAS Indigenous peoples in Canada who have been subjected to Canada's policies of forced assimilation, including through the forcible removal of children to Residential Schools to "kill the Indian in the child," have always known the truth of the crimes and atrocities committed at these institutions, including the loss of culture and language, emotional, spiritual, sexual, physical, and psychological abuse and other injustices that severely impacted entire communities and families for generations;

WHEREAS the ongoing investigations into the likely remains of children who were forced to attend former Residential Schools across Canada in unmarked graves have provided evidence of state-sanctioned genocide, human rights and humanitarian law violations, and further demonstrate an ongoing pattern of violence inflicted upon Indigenous peoples by the government of Canada and the churches through the Residential School system and colonial laws and policies;

WHEREAS increasingly, since the publicization of these investigative findings, there has been a troubling trend of Residential School denialism. Particularly concerning is the dissemination of misinformation and harmful denialism by individuals elected to public office;

WHEREAS in April 2024, this pernicious phenomenon came to light in B.C. in media reports against the Mayor of Quesnel and his wife for distributing a book entitled *Grave Error – How the Media Misled Us* that indicates genocide did not occur at Residential Schools and essentially questions their very existence and well-documented harms against Indigenous peoples. There have been concerns that materials such as these are being widely distributed amongst local government circles to perpetuate racist attitudes that uphold white supremacy and deny the realities of Canada and the Churches' roles in Residential Schools;

WHEREAS other examples of genocide denial such as Holocaust denialism have been widely documented and discredited as the work of individuals or groups who feel threatened or fear loss of power and instead choose to perpetuate stereotypes and hateful beliefs used to undermine the realities of history;

WHEREAS Canada's policies of forced assimilation of Indigenous children at Residential Schools was intentional and is widely documented. The pain of denialism is deeply offensive and compounds the suffering that generations of survivors have already endured and has no place in public discourse;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 7(2): Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8(1): Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

(2): States shall provide effective mechanisms for prevention of, and redress for: (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities; (b) Any action which has the aim 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; (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them;

WHEREAS the Truth and Reconciliation Commission of Canada (TRC) estimates that 150,000 children were forced to attend Residential Schools nationwide, identifying that more than 4,100 children died at these facilities –although survivors and families have maintained that that number is much higher. This number is likely to rise as Indigenous communities continue to document and identify missing children and unmarked graves through archival, archaeological and oral histories;

WHEREAS UBCIC Resolutions 2003-14, 2006-23, 2008-04, 2010-34, 2011-14, 2013-16, 2013-42, 2015-35, 2016-45, 2021-29, 2021-49, 2021-50, 2022-65 cite the numerous horrors of Residential Schools and the need for comprehensive healing supports for survivors, families and communities;

WHEREAS by UBCIC Resolution 2015-28 and 2021-29, the UBCIC Chiefs Council called upon the government of Canada to take immediate steps to develop a legal framework to fully implement all recommendations of the Truth and Reconciliation Commission of Canada and to provide immediate funding and supports to Tk'emlúps te Secwépemc, and other First Nations such as Cowessess First Nation as they develop and implement frameworks and processes to further identify, document, maintain, commemorate, and protect the remains of the children found buried at the Kamloops Indian Residential School and the site itself, and any additional supports required by the Tk'emlúps te Secwépemc in undertaking this difficult work as the first Nation to confirm the presence of mass, unmarked graves;

WHEREAS the ongoing recoveries of missing and unidentified Indigenous children at former Residential School sites have triggered and re-traumatized Residential School survivors, including intergenerational survivors, and have brought to public attention the immense trauma, violence, and abuse Indigenous peoples and communities continue to heal from with strength, courage, and resolve;

WHEREAS reconciliation requires accountability, compassion and action. The revelation and publicization of these dark realities of Canadian history require Canada and settler Canadians to do the uncomfortable work of examining their own histories, their relationships with First Nations and place, to learn and to take action to right historical and ongoing wrongs;

WHEREAS adequate, long-term funding is required from the government of Canada to complete the work commenced at former Residential School sites across Canada to address these wrongs. Without adequate funding, the missing children will never be returned home to their families and their home communities; and

WHEREAS Residential School denialism and any attitudes or actions which seek to undermine the reality of the horrors of Canada's Residential School policies, particularly for political gain, is deeply painful, harmful to survivors and their families and acts in direct opposition to the crown's commitments to reconciliation, the UN Declaration and the Calls to Action set out by the TRC.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council categorically rejects any and all Residential School racist denialism and ardent dissemination of racist misinformation put forward by the authors of *Grave Error – How the Media Misled Us*, and perpetuated by members of the public and elected officials;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council stands with survivors and intergenerational survivors of Residential Schools and their families, as well as the children who never made it home and all those who are harmed by the actions of those involved with the production and distribution of the book *Grave Error – How the Media Misled Us* and the deeply troubling trend of Residential School racist denialism and any unwillingness to accept historical fact and the work of experts;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls for all levels of government and the public to:

- uphold the testimony of those with lived experience who survived and witnessed crimes and human rights violations at Residential Schools, along with the findings of experts, and the documentation of physical and archival evidence captured by the Truth and Reconciliation Commission and by subsequent investigations by First Nations and partners at former Residential Schools sites across Canada;
- implement the Truth and Reconciliation Commissions' 94 Calls to Action;
- advance policies that acknowledge and take responsibility for the history and harmful legacy of Residential Schools; and
- support healing for survivors; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council reaffirms Resolution 2021-29 and calls on the government of Canada and B.C. to:

- commit to sustainable long-term funding to support continued work by *all affected First Nations* to locate and identify missing children and unmarked graves at former Residential School across Canada; and
- work in collaboration with First Nations to counter and address Residential School racist denialism in B.C., including by developing targeted education campaigns to counter denialism in the public and public sector.

Moved: Kukpi Lee Spahan, Coldwater Indian Band
Seconded: Kukpi7 James Hobart, Spuzzum First Nation
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-34

RE: Ceasefire and Arms Embargo in Palestine

WHEREAS the ongoing devastation and violence between Israel and Palestine has extremely deep and complex roots. On October 7th, 2023, Hamas led a horrific attack on Israel with the murder of an estimated 1200 Israelis and capture of an estimated 252 hostages, with dozens still held captive in Gaza. Since that time the state of Israel has carried out a violent assault on the Gaza Strip with more than an estimated 36,000 Palestinians being killed including, almost 14,000 children, and 81,000 wounded Palestinians;

WHEREAS the *Universal Declaration on Human Rights* was proclaimed by the United Nations General Assembly in Paris on December 10th, 1948, and supported by Canada, and sets out:

Preamble: ... Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people...

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 5: No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 9: No one shall be subjected to arbitrary arrest, detention or exile.

Article 13(1): Everyone has the right to freedom of movement and residence within the borders of each state;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

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

Article 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.

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

Article 30(1): Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned;

WHEREAS on October 8th, 2023, Prime Minister Justin Trudeau issued a statement condemning Hamas's attack against Israel in the strongest possible terms and reaffirmed Canada's support for Israel's right to defend itself, in accordance with international law; and on December 12th, 2023, Canada voted in favour of a non-binding United Nations resolution that calls for an "immediate humanitarian ceasefire" in the Israel-Hamas war;

WHEREAS on December 22nd, 2023, the UN Security Council passed Resolution 2720 (2023) to enable safe and unhindered delivery of humanitarian assistance to the Palestinian civilian population throughout the Gaza Strip and called for urgent steps to create the conditions for a sustainable cessation of hostilities;

WHEREAS on March 24, 2024, the UN Security Council passed Resolution 2728 (2024) demanding an immediate ceasefire for the month of Ramadan, the immediate and unconditional release of hostages and "the urgent need to expand the flow" of aid into Gaza;

WHEREAS in March 2024, Canada passed a motion ceasing the further authorization and transfer of arms exports to Israel; however, up to January 8th, 2024, Canada approved permits which are not subject to changes, allowing further weapons and military equipment to reach Israel which are being used to carry out genocide against the Palestinian people;

WHEREAS Israel is not complying with United Nations General Assembly Resolution 194 (III) on Palestine, which:

(11): Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible; and

WHEREAS the International Criminal Court (ICC) is seeking arrest warrants for the leaders of both Israel and Hamas and the International Court of Justice (ICJ) has issued a ruling that Israel must halt any military offensive in Rafah that could harm civilians.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council condemns the use of violence, crimes against humanity, genocide, terrorism and warfare by Israel and Hamas and upholds human rights and all civilians' rights to safety, security, and freedom from genocide;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council condemns all forms of antisemitism and Islamophobia;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council strongly condemns the Israeli State's ongoing violent assault in Palestine and calls for full accountability by the Israeli government for the murder of each and every Palestinian child, all civilians, and humanitarian aid workers, and for accountability for all States who are providing support to Israel through weapons and funds to carry out this violent assault;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the Canadian government to implement an immediate, full, two way arms embargo to stop the flow of all military goods both to and from Israel, including cancelling all current permits;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council demands the Canadian government and the international community end the blockade on humanitarian aid entering Gaza and initiate a permanent ceasefire throughout Israel and Palestine; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council strongly condemns the October 7th, 2023 attack by Hamas on Israeli civilians and children and demands that Hamas release the remaining hostages and be held accountable for the sexual violence, kidnappings and murders carried out in the October 7th 2023 attack.

Moved: Katisha Paul, UBCIC Youth Representative
Seconded: Chief Don Tom, Tsartlip First Nation
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-35

RE: Implementing a Proper Distinctions-Based Approach in Public Education

WHEREAS First Nations in what is now known as British Columbia (B.C.) are the proper title and rights holders within our respective territories, with inherent, constitutional, and human rights, and with inherent laws, legal systems, systems of governance and jurisdictions which First Nations have applied and exercised throughout the entirety of our territories prior to contact, and which continue to exist and be applied and exercised throughout our territories today;

WHEREAS not all rights are uniform or the same among or between all Indigenous peoples and the extent to which they can be validly exercised depends on the context. A proper distinctions-based approach requires that the Crown governments' relationship and engagement with First Nations, Métis and Inuit individuals and organizations in B.C. must include different approaches or actions and result in different outcomes;

WHEREAS as a matter of self-determination, First Nations determine the expression and exercise of their rights, including rights to education, culture, and language;

WHEREAS First Nations' inherent laws, legal systems, systems of governance, and jurisdictions rightfully apply to all who have settled on and are guests within our territories in B.C., including Métis individuals and Métis organizations, and other Indigenous people from outside B.C. who choose to reside here;

WHEREAS the Métis Nation is an "aboriginal people of Canada" within the meaning of section 35 of the *Constitution Act, 1982* and an "indigenous people" within the meaning of the *United Nations Declaration on the Rights of Indigenous Peoples*; however, the Métis Nation is not Indigenous to B.C. and Métis individuals are visitors to and settlers on the lands of First Nations in B.C.;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

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

Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

(2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

(3): States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 19: States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them;

WHEREAS the UBCIC Chiefs Council passed Resolution 2023-39 rejecting and denouncing Métis colonialism in British Columbia and the Crown’s past and ongoing facilitation of it along with Resolution 2024-07 rejecting the prioritization of Michif language classes in B.C.;

WHEREAS the government of B.C.’s Distinctions-Based Approach Primer (December 2023) affirms that the government of B.C.’s work with the Métis must occur in a manner which recognizes and respects the inherent, human, and constitutional rights of First Nations and upholds the laws, legal systems, and systems of government of First Nations;

WHEREAS when a right is asserted by an Indigenous person or group in the territory of another Indigenous Nation, its realization cannot impede or infringe the rights of that Nation and, further, the assertion of that right is contextualized and circumscribed by the fact that its exercise is being attempted in the territory of another Nation which holds title, rights, laws, legal orders, systems of governance, and jurisdiction;

WHEREAS as observed by the United Nations Expert Mechanism on the Rights of Indigenous Peoples, the right of Indigenous peoples to traditional education may be closely, and in some instances inseparably, associated with the use of their traditional lands, territories, and resources, and States must give legal recognition and protection to such lands, territories, and resources with due respect for Indigenous peoples’ customs, customary law, and traditions¹;

WHEREAS provincial education policies must be transformed to apply a proper distinctions-based approach, to ensure that public education in B.C. is delivered in a manner that respects the primacy of local First Nations in whose territory(ies) boards of education operate schools, and to end harmful and racist pan-Indigenous approaches that do not distinguish between First Nation title and rights holders and those Indigenous individuals or groups from outside B.C. who choose to reside here;

WHEREAS so-called “Métis Education Agreements” between boards of education and Métis organizations are being entered into or contemplated in some school districts; however, they are contrary to the recent *School Act* amendments (Bill 40) and have been objected to by local First Nations in whose territories those boards of education operate;

WHEREAS the recent *School Act* (B.C.) amendments were intended to begin systemic shifts that include implementing a proper distinctions-based approach in provincial public K-12 education;

¹ (United Nations General Assembly, August 31, 2009. “Study on lessons learned and challenges to achieve the implantation on the right of Indigenous peoples to education.” Human Rights Council, A/HRC/12/33)

WHEREAS a proper distinctions-based approach must be applied to the delivery of public education in First Nations' territories, including issues such as language, teacher standards, and the operation of Indigenous education councils, and proactive measures are needed to ensure proper training for teachers to understand and respect the world views and perspectives of First Nations in B.C.;

WHEREAS the government of B.C. committed in the 2022 Declaration Act Action Plan to a number of actions in relation to education including, the operation of Indigenous education councils, developing mechanisms to enable boards to better support Indigenous students, revitalization of languages, full course offerings in First Nation languages, and development of a K-12 First Nations Language policy (4.3, 4.4, 4.29, 4.31 and 4.32); and

WHEREAS all actions in the Declaration Act Action Plan must be implemented consistent with a proper distinctions-based approach.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls on the government of B.C. to work in consultation and cooperation with First Nations and the First Nations Education Steering Committee (FNESC) to implement a proper distinctions-based approach to the delivery of provincial K-12 public education that:

- respects the primacy of First Nations' title and rights holders within their respective territories in B.C., whose inherent laws, legal orders, systems of governance, and jurisdictions rightfully apply to all who have settled on and are guests within their territories, including the Métis;
- respects First Nations' own characterization, expression, and exercise of their rights, including rights to education, culture, and language, and does not in any way impose colonial definitions, conceptions, descriptions, explanations, characterizations, assumptions, or parameters on those rights;
- ends the harmful and racist pan-Indigenous approach that does not distinguish between First Nations title and rights holders in B.C. and those Indigenous peoples from outside B.C. who choose to reside here, including the Métis;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the government of B.C. to commit that, in each school year, a board of education must schedule at least one non-instructional day for the purpose of providing teachers with an opportunity to participate in discussions and activities that focus both on improving First Nation student outcomes and attendance, and integrating the world views and perspectives of the First Nation(s) whose territory the school is located within, into learning environments; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council affirms that when a right is asserted by an Indigenous person or group from outside B.C. in the territories of First Nations in BC:

- its realization cannot impede or infringe the title, rights, laws, legal orders, systems of governance, or jurisdiction of the First Nation in whose territory it is asserted; and
- its assertion is necessarily contextualized and circumscribed by the fact that the First Nation in whose territory it is asserted has title, rights, laws, legal orders, systems of governance or jurisdiction which apply to guests to that territory.

Moved: Chief Don Tom, Tsartlip First Nation
Seconded: Kukpi Lee Spahan, Coldwater Indian Band
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH & 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTER (STÓ:LŌ TERRITORY)

Resolution no. 2024-36

RE: Enshrining Housing as a Human Right in Legislation and Action Plans

WHEREAS poverty is a structural condition and reality brought to these lands as a part of the colonial system that worked to disenfranchise First Nations from their lands and non-human relations. At the root of systemic and cyclical poverty experienced by First Nations today is the ongoing, intersecting and harmful effects of colonization;

WHEREAS residents of Vancouver's historic Downtown Eastside (DTES) community, including a disproportionately high number of First Nations people, continue to face mounting dangers owing to poverty and the associated lack of secure housing and unsafe shelter options that compounds the effects of the toxic drug crisis, COVID-19 pandemic, climate emergencies, police violence, and unrelenting gender-based violence culminating in a human rights crisis which can no longer be ignored;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 21(1): Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

Article 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 25: Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicine plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services;

2024-36

Page 1 of 3

WHEREAS Canada declared housing as a human right through the *National Housing Strategy Act* in 2019, which brings Canada in line with international standards, requiring the right to housing to be ensured, not only through policies and programs, but also through independent monitoring and access to hearings and effective remedies;

WHEREAS Article 21 of the B.C. *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) references housing as an Indigenous right, yet Indigenous peoples remain disproportionately impacted by the lack of secure housing and unsafe shelter. Indigenous peoples are only 2.2% of Vancouver's population, yet they comprise approximately 39% of people experiencing homelessness;

WHEREAS the provincial government has yet to recognize housing as a human right through statement or action despite being part of a country that signed onto an agreement under the National Housing Strategy to adopt a human rights-based approach to housing;

WHEREAS the B.C. Poverty Reduction Coalition is a collective of over 80 organizations that advocate for public policy solutions to end poverty, homelessness and inequality in B.C. and for a targeted and comprehensive poverty reduction strategy that prioritizes equity-seeking groups, and a whole government, cross-ministry approach to ending poverty as a human rights issue;

WHEREAS the Canadian Alliance to End Homelessness is calling for housing as a human right legislation guided by the key elements of:

- a) a clear commitment to the right to housing in B.C. and recognizing how it is connected to countless other fundamental human rights. Housing is inextricably tied to other human rights including, the rights to life, work, physical and mental health, social security, political participation, and education. Putting this clearly into law and policy ensures we continue our focus on the crisis faced by British Columbians for the long-term;
- b) priority housing strategy and investment for people facing the most urgent need for housing;
- c) a housing as a human right strategy that has an Indigenous gender-based analysis plus (IGBA+) lens;
- d) meaningful accountability processes to address systemic inequality in housing outcomes to prevent housing systems themselves from sustaining and increasing socioeconomic inequality and exclusion;
- e) participation and oversight by people affected by homelessness and inadequate housing where they have opportunities for input, leadership and decision-making;

WHEREAS by UBCIC Resolutions 2022-65 and 2021-36, the UBCIC Chiefs Council condemned the lack of action taken to address the human rights crisis in the Downtown Eastside and affirmed support for a rights-based approach to advance housing as a human right in legislation, while acknowledging First Nations title and rights, sovereignty and right to self-determination;

WHEREAS First Nations have not been able to rely on the private market to provide affordable and safe housing for low-income peoples, disabled peoples, and women, children and gender-diverse people and those fleeing violence; and

WHEREAS legislation must empower the rights of First Nations peoples and lands when new housing is being proposed to mitigate the power and profit of housing developers whose work is reliant on stolen First Nations territories.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports the B.C. Poverty Reduction Coalition in calling for the provincial government to enshrine housing as a human right in legislation and forthcoming housing strategies and Action Plans; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to communicate to the Province that such legislation must be distinctions-based and uphold the title and rights of First Nations in B.C., and consider the needs of First Nations having access to culturally safe and appropriate housing, drawing on the Canadian Alliance to End Homelessness guidance and in alignment with the *United Nation Declaration on the Rights of Indigenous Peoples*.

Moved: **Katisha Paul, UBCIC Youth Representative**
Seconded: **Councillor Mary Jack, Okanagan Indian Band (Proxy)**
Disposition: **Carried**
Date: **June 11, 2024**

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-37

RE: FNLC Relationship Protocol with the Union of B.C. Municipalities

WHEREAS cooperative relationships and effective communication between First Nations and multiple levels of government in key priority areas, such as economic development, infrastructure, emergency management, and climate change, can contribute directly to the well-being of First Nations communities;

WHEREAS the Union of B.C. Indian Chiefs (UBCIC), the B.C. Assembly of First Nations (BCAFN), and the First Nations Summit (FNS), working together as the First Nations Leadership Council (FNLC), in collaboration with the Union of B.C. Municipalities (UBCM), have developed a draft Relationship Protocol with the objectives of:

1. **Building Trust and Understanding:** Build trust and understanding between UBCM and FNLC members by fostering positive relationships.
2. **Facilitating Communication:** Engage in ongoing dialogue and learning that includes exchanging information, communicating interests, and sharing concerns and perspectives on matters of mutual interest.
3. **Promoting Partnership and Collaboration:** Facilitate collaboration between First Nations and local governments toward shared goals and priorities that promote social, economic and environmental well-being of communities.
4. **Addressing Common Challenges:** Address common challenges facing First Nations and local governments by leveraging resources and expertise from both FNLC and UBCM.
5. **Advancing reconciliation:** Promote dialogue, cooperation and respectful engagement between local governments and First Nations to advance reconciliation;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 5: 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.

2024-37

Page 1 of 2

Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(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.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programs for indigenous peoples for such conservation and protection, without discrimination;

WHEREAS the Parties believe that fostering enhanced, respectful cooperation and communication is essential for advancing climate solutions that recognize and uphold First Nations inherent title, rights and treaty rights and directly contribute to the self-determination and well-being of First Nations communities in B.C.;

WHEREAS the Relationship Protocol is guided by the spirit of cooperation, respect, partnership, and the understanding, recognition, and application of the UN Declaration as well as the Truth and Reconciliation Calls to Action and the *Declaration on the Rights of Indigenous Peoples Act* of British Columbia (Declaration Act), and aims to create a path forward that respects and recognizes the human rights of Indigenous peoples; and

WHEREAS this Relationship Protocol reflects the commitment of the FNLC and the UBCM for sincere and honest engagement on priority issues guided by the following principles:

1. The Parties recognize and acknowledge First Nations spiritual, social and cultural practices associated with the land, environment and natural resources must be respected and share the vision of healthy, resilient communities for current and future generations.
2. The Parties acknowledge the benefit of cooperative intergovernmental relations between First Nations and local governments, and that local governments have special interests in the negotiation of a range of agreements between the Province and a First Nation.
3. The Parties will work collaboratively to share their respective knowledge, expertise and experience to serve First Nation and local government communities in B.C.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to sign the attached Relationship Protocol between UBCIC, the B.C. Assembly of First Nations (BCAFN), and the First Nations Summit (FNS), working collectively as the First Nations Leadership Council (FNLC), and the Union of B.C. Municipalities;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive to clearly articulate to the Union of B.C. Municipalities that the Protocol is not a substitute for direct engagement with First Nations title and right holders and is not a delegation of authority in any way; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the BCAFN and the FNS as the FNLC, and the Union of B.C. Municipalities to provide regular reports to the UBCIC Chiefs Council on the ongoing collaborative objectives and efforts as identified in the attached Relationship Protocol.

Moved: Chief Don Tom, Tsartlip First Nation
Seconded: Kukpi Lee Spahan, Coldwater Indian Band
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS CHIEFS COUNCIL

JUNE 10TH & 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTER (STÓ:LŌ TERRITORY)

Resolution no. 2024-38

RE: Appointment to the B.C. First Nations Justice Council

WHEREAS the B.C. First Nations Justice Council (BCFNJC) is an advocacy organization with the intent to focus on justice-related issues that are specific to B.C. First Nations, including but not limited to access to safety, justice, and preventative and rehabilitative services;

WHEREAS the BCFNJC aims to support the rebuilding of First Nations justice systems and institutions and to address needed improvements in the Indigenous experience with provincial and federal justice systems. The Council is comprised of five directors appointed via elections by the First Nations Summit, B.C. Assembly of First Nations and the Union of B.C. Indian Chiefs. BCFNJC is provincial in scope and is actively solidifying its capacity to deliver on the recently signed B.C. First Nations Justice Strategy;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

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.

Article 5: 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.

Article 34: Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration;

WHEREAS the UBCIC Chiefs Council endorsed and adopted the draft Terms of Reference for the B.C. Aboriginal Justice Council (BCAJC) by Resolution 2018-21 and by Resolution 2019-15, supported the B.C. Aboriginal Justice Council transition to the B.C. First Nations Justice Council (BCFNJC), along with the amendments to the BCAJC’s Terms of Reference that reflect the Council’s intent to focus on justice-related issues that are specific to B.C. First Nations;

WHEREAS by UBCIC Resolution 2021-32, the UBCIC Chiefs Council ratified the appointment of Boyd Peters, Sts’ailes as the UBCIC Representative to the BCFNJC for a three-year term from June 2021 to the June Chiefs Council meeting in 2024;

WHEREAS the UBCIC circulated notice seeking applications for one (1) representative to the BCFNJC, for a three-year term beginning June 12th, 2023, to the June Chiefs Council meeting in 2027, to be chosen in accordance with the UBCIC Elections Procedures and the BCFNJC Bylaws and received multiple applications; and

WHEREAS the UBCIC Electoral Officer provided notice of an election to the UBCIC Chiefs Council for one (1) UBCIC representative to the BCFNJC and oversaw an election on June 11th, 2024, where Boyd Peters was elected by the UBCIC Chiefs Council.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council appoints Boyd Peters as the UBCIC representative to the BC First Nations Justice Council for a three-year term commencing June 12th, 2024, until the June Chiefs Council meeting in 2027; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council call on the UBCIC representative to the BC First Nations Justice Council to provide regular updates to the UBCIC Chiefs Council and the UBCIC Executive on all agreements, legislation initiatives, and projects affecting title and rights pertaining to justice that involve the BC First Nations Justice Council.

Moved: Chief Victor Isaac, ‘Namgis First Nation
Seconded: Chief Jerry Jack, Mowachaht-Muchalaht First Nation
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-39

RE: Addressing Underfunding of B.C. First Nations Languages and the Development of a B.C. First Nations Languages Act

WHEREAS First Nations have the inherent, treaty and constitutionally protected rights to revitalize, learn, use, transmit, and access services in their First Nations language;

WHEREAS according to the First Peoples Cultural Council's (FPCC), there are 36 actively used First Nations languages in B.C. representing more than 50% of all Indigenous languages in Canada. Many First Nations languages in B.C. face challenges as a result of colonization and decades of chronic underfunding;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 13(1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Article 13(2): States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

(3): States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 16(1): Indigenous peoples have the right to establish their own media in their own

2024-39

Page 1 of 3

languages and to have access to all forms of non-indigenous media without discrimination;

WHEREAS the *Indigenous Languages Act* (Bill C-91) received Royal Assent on June 19th, 2019, which provides legal assurance for adequate, sustainable and long-term funding for First Nations-led efforts to revitalize their languages;

WHEREAS the Assembly of First Nations (AFN) *Revitalizing First Nations Languages: A Costing Analysis* estimates the annual cost of First Nations languages revitalization across Canada to be \$2.003 billion;

WHEREAS an estimated total of \$85 million is available for First Nations languages annually moving forward, which is approximately 30% less funding than what was allocated in 2023-24 fiscal year (\$118 million), despite the legislative commitments to facilitate the provision of adequate and sustainable funding for First Nations languages in Bill C-91;

WHEREAS in July 2023, at the AFN Annual General Assembly, First-Nations-in-Assembly voted to not pass Draft Resolution 26 *Equitable Funding for Languages Revitalization*, which sought ratification for a new Equally Weighted Regional Allocation Formula for the Department of Canadian Heritage Indigenous Languages Component funding;

WHEREAS compared to the current funding formula, which is based on two factors (1) a base amount for all regions and (2) remaining funding based on the number of languages within the region, the AFN Chiefs Committee on Languages' proposed Regional Allocation Formula with equally weighted factors would reduce BC's allocation by approximately 10%"; and

WHEREAS the rationale for the Regional Allocation Formula is to equally weigh factors of: population, language vitality, number of languages, number of First Nations, and regional remoteness. This weighting is based on incomplete data that does not consider the base costs associated for language revitalization per First Nations language. As such, the number of languages should be proportionately factored into an equitable funding formula.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council calls on the federal and provincial governments to recognize and uphold First Nations' title, rights and sovereignty related to language preservation and revitalization through a distinctions-based approach;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council unequivocally rejects the proposed Equally Weighted Regional Allocation Formula as proposed by the AFN Chiefs Committee on Languages and calls on the AFN Chiefs Committee on Languages to keep the current funding formula unchanged until consensus on any changes to the formula is reached by all regions;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the AFN Technical Committee on Languages and Chiefs Committee on Languages to negotiate a funding formula that:

- a. is evidence-based, data-driven and consented to by First Nations;
- b. prioritizes the number of languages and level of endangerment to ensure fair distribution of language funding across the regions;
- c. is reviewed by the Technical and Chiefs Committee on Languages on a mutually agreed upon timeline to ensure the formula is informed by up to date;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on UBCIC, working with the B.C. Assembly of First Nations (BCAFN) and the First Nations Summit (FNS) as the First Nations

Leadership Council (FNLC), to host an All Chiefs Meeting on Languages prior to the 2024 AFN Annual General Assembly to provide options and recommendations on a Regional Allocation Formula that will support the appointed B.C. political and technical representatives in their negotiations with the AFN Chiefs Committee on Languages;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working with the BCAFN and FNS as the FNLC, to seek equitable funding for the B.C. Region, to develop a report, subject to resources, and seek legal advice on the advisability and feasibility of a class action lawsuit and/or human rights tribunal case against the Province of B.C. and the Government of Canada for the underfunding of First Nations languages for B.C. First Nations and report back to their respective assemblies as soon as is practicable with recommendations on next steps;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, in collaboration with other like-minded organizations, to call on the Province of British Columbia to work with B.C. First Nations and co-develop a B.C. First Nations Languages Act that upholds First Nations rights to their languages, and to call on the Province to commit to a timeline to ensure necessary steps are taken to develop and implement the proposed legislation;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working in collaboration with other like-minded organizations, to develop a framework for a B.C. First Nations Languages Act;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working in collaboration with BCAFN and FNS together as the FNLC, to initiate discussions with the Department of Heritage Canada on a regional negotiation, separate from the AFN Chiefs Committee on Languages to ensure that sustainable and long-term language funding is provided to B.C. First Nations; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council directs the UBCIC Executive, working collaboratively with relevant stakeholders, to report on progress to the UBCIC Chiefs Council.

Moved: Chief Don Tom, Tsartlip First Nation
Seconded: Councillor Rodney Teed, Saik'uz First Nation (Proxy)
Disposition: Carried
Date: June 11, 2024

OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Chief Alex Thomas Way
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319



VANCOUVER OFFICE
401 - 312 Main Street
Vancouver, B.C. V6A 2T2
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL

JUNE 10TH – 11TH, 2024

SHXWHÁ:Y VILLAGE COMMUNITY CULTURAL CENTRE (STÓ:LŌ TERRITORY)

Resolution no. 2024-40

RE: Support for Precautionary Principle in Open-Net Pen Transition Planning Process

WHEREAS First Nations in B.C. have inherent title, rights, and jurisdiction to our respective territories, and, as the original caretakers of these territories, we continue to exercise our laws and jurisdiction to protect and steward the environment, lands and waters;

WHEREAS on February 17, 2023, the Minister of Fisheries, Oceans and the Canadian Coastguard decided to decline to renew aquaculture licenses for Atlantic salmon fish farms in the Discovery Islands in B.C., finding that taking a highly precautionary principle with the Atlantic salmon farms is appropriate given the Discovery Islands is a unique area, the decline of wild salmon stocks, the impact of the decline of wild salmon on First Nations, and scientific uncertainty;

WHEREAS, on June 7, 2024, the Federal Court ruled on an application for judicial review of the Minister's decision not to follow the Department of Fisheries and Oceans (DFO) advice and instead declined to renew fish farm licenses in Discovery Island. The court found no grounds for judicial review and that the Minister met the mid-level requirement of the duty to consult and did not breach procedural fairness. They also found that the decision was reasonable;

WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:

Article 20(1): Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

(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.

(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 29(1): Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

Article 32(1): Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources;

WHEREAS the precautionary principle in fisheries management emphasizes caution when scientific knowledge is uncertain. It advocates for taking action to prevent serious harm to fish stocks or their ecosystems, even in the absence of complete scientific information, rather than delaying or avoiding action due to insufficient data;

WHEREAS by Resolution 2020-08, "Transition from Open Net-Pen Fish Farming," the UBCIC Chiefs Council fully supports a transition away from open net-pen aquaculture led by First Nations in favour of a more humane and sustainable practice; and

WHEREAS by Resolutions 2021-07, "Support for Intervention in Judicial Reviews of Federal Decision to Phase out Fish Farms in Discovery Islands," the UBCIC Chiefs Council supported the intervention in the Discovery Islands judicial decision.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council fully supports the February 17th, 2024, decision of the Department of Fisheries and Oceans (DFO) Minister to use a precautionary principle and decline renewal of aquaculture licenses for Atlantic salmon fish farms in the Discovery Islands and transition away from open-net pen fish farms, and the June 7th, 2024 decision of the Federal Court to uphold the Minister's decision to not issue the Discovery Islands aquaculture licenses;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the DFO to enforce the precautionary principle used in Discovery Islands to the rest of the coast as the transition planning away from open-net pen fishing proceeds in order for restoration of the waters and environment back to their original state, and in particular the Johnstone Straits and Queen Charlotte Sound;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council calls on the DFO's open-net pen transition planning to embrace and enact the plan advanced in the UBCIC Transition Planning Process submission; and

THEREFORE BE IT FINALLY RESOLVED, the UBCIC Chiefs Council directs the UBCIC Executive and staff to work with the government and like-minded organizations to oversee the open-net pen transition planning process and implementation of the precautionary process in this work.

Moved: Kukpi Lee Spahan, Coldwater Indian Band
Seconded: Chief Victor Isaac, 'Namgis First Nation
Disposition: Carried
Date: June 11, 2024