
UNION OF BRITISH COLUMBIA INDIAN CHIEFS

DECLARATION

as adopted by the
U.B.C.I.C. General Assembly
held in Courtenay, British Columbia
May 17, 1976

UNION OF B.C. INDIAN CHIEFS

DECLARATION

WE, THE NATIVE PEOPLE OF THE TRIBES OF BRITISH COLUMBIA, OPENLY AND PUBLICLY DECLARE AND AFFIRM TO THE PEOPLE AND GOVERNMENTS OF CANADA AND BRITISH COLUMBIA:

THAT THE INDIAN TRIBES HAVE HELD AND STILL HOLD NATIVE TITLE, ABORIGINAL RIGHTS AND OWNERSHIP TO ALL LANDS AND RESOURCES OF BRITISH COLUMBIA, WITHIN OUR RESPECTIVE TRIBAL TERRITORIAL BOUNDARIES,

THAT THE INDIAN TRIBES HAVE HELD AND STILL HOLD ABORIGINAL RIGHTS TO HUNT, FISH, AND TRAP AND GATHER FOOD, RESOURCES, AND GOODS WITHIN OUR RESPECTIVE TRIBAL TERRITORIAL BOUNDARIES,

THAT THE INDIAN TRIBES HAVE HELD AND STILL HOLD INALIENABLE AND ABORIGINAL RIGHTS TO SELF-GOVERNMENT WITHIN OUR RESPECTIVE TRIBAL TERRITORIAL BOUNDARIES,

THAT WE, THE NATIVE PEOPLE OF THE TRIBES OF BRITISH COLUMBIA, HAVE NEVER REACHED ANY AGREEMENT OR TREATY WITH THE GOVERNMENTS OF CANADA AND BRITISH COLUMBIA CONCERNING THE OCCUPATION, SETTLEMENT, SOVEREIGNTY, AND JURISDICTION OVER OUR NATIVE LANDS,

THAT SUCH NATIVE TITLE AND ABORIGINAL RIGHTS HAVE NEVER BEEN EXTINGUISHED, PURCHASED, OR ACQUIRED BY TREATY, AGREEMENT OR BY ANY OTHER MEANS BY THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF BRITISH COLUMBIA,

THAT SUCH NATIVE TITLE AND ABORIGINAL RIGHTS EXIST TODAY AND SHALL CONTINUE TO EXIST FOR ALL-FUTURE TIME, -

THAT THE GOVERNMENTS OF CANADA AND BRITISH COLUMBIA SHALL IMMEDIATELY RECOGNIZE THE EXISTENCE OF NATIVE TITLE AND ABORIGINAL RIGHTS AND SHALL ENTER INTO TRIPARTITE NEGOTIATIONS WITH REPRESENTATIVES OF THE NATIVE PEOPLE OF BRITISH COLUMBIA,

THAT SUCH NEGOTIATIONS WILL BE BASED ON THE PRINCIPLE THAT NATIVE TITLE AND ABORIGINAL RIGHTS EXIST AND WILL CONTINUE TO EXIST, AND THAT ANY COMPENSATION BENEFITS, RESOURCE ROYALTIES, OR PAYMENTS WILL NOT BE A PURCHASE OR EXTINGUISHMENT OF NATIVE TITLE OR ABORIGINAL RIGHTS BUT WILL BE A PART OF AN ON-GOING AND PERPETUAL RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS, THAT SUCH NEGOTIATIONS WILL DETERMINE THE SPECIFIC METHODS OF PUTTING NATIVE TITLE AND ABORIGINAL RIGHTS INTO PRACTICE,

THAT IN RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS THERE WILL BE LAND, MONETARY, AND OTHER COMPENSATION FOR LANDS AND RESOURCES HELD BY THE INDIAN PEOPLE OF BRITISH COLUMBIA UNDER NATIVE TITLE AND ABORIGINAL RIGHTS THAT HAVE ALREADY BEEN IRRETRIEVABLY ENCROACHED UPON, SOLD, OR OTHERWISE USED UNDER PROVINCIAL OR FEDERAL GRANTS OF TITLE OR LICENCE; THAT SUCH COMPENSATION WILL BE NEGOTIATED ON THE PRINCIPLE OF PERPETUAL AND CONTINUING RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS,

THAT LANDS THAT HAVE BEEN UNJUSTLY, ARBITRARILY, AND CAPRICIOUSLY TAKEN FROM INDIAN RESERVES SHALL BE RETURNED; THAT IF RETURN OF THESE CUT-OFFS AND "LOST RESERVE LANDS" IS NOT POSSIBLE, THEN ALTERNATE LANDS OF EQUAL VALUE SHALL BE SET ASIDE AS INDIAN RESERVE,

THAT IN RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS THERE WILL BE PROTECTION FOR INDIAN PARTICIPATION IN ROYALTIES, USE AND MANAGEMENT OF ALL LANDS AND RESOURCES WITHIN OUR RESPECTIVE TRIBAL TERRITORIAL BOUNDARIES; THAT SUCH INDIAN PARTICIPATION AND MONIES PAID UNDER AGREEMENT WILL NOT BE CONSTRUED TO BE PURCHASE, OR EXTINGUISHMENT OF NATIVE TITLE AND ABORIGINAL RIGHTS,

THAT IN RECOGNITION OF NATIVE TITLE THE INALIENABLE AND ABORIGINAL RIGHTS OF HUNTING AND FISHING SHALL NOT BE ABRIDGED, RESTRICTED, CURTAILED OR REGULATED BY ANY ACT OR REGULATION OF THE GOVERNMENT

OF CANADA OR THE GOVERNMENT OF BRITISH COLUMBIA; THAT IF ANY REGULATION OF SUCH ABORIGINAL RIGHTS OF HUNTING AND FISHING ARE DEEMED NECESSARY BY THE INDIAN PEOPLE THEMSELVES, SUCH REGULATION SHALL BE ADMINISTERED BY THE INDIAN PEOPLE THEMSELVES, OR THEIR REPRESENTATIVE,

THAT ALL DEVELOPMENT, REGULATION, LAND SALES, AND RESOURCE EXTRACTION FROM OR ON SO-CALLED "CROWN LANDS" HELD BY THE INDIAN PEOPLE OF BRITISH COLUMBIA UNDER NATIVE TITLE AND ABORIGINAL RIGHTS SHALL IMMEDIATELY CEASE UNTIL AGREEMENT IS REACHED BETWEEN THE GOVERNMENT OF CANADA, THE GOVERNMENT OF BRITISH COLUMBIA, AND THE NATIVE PEOPLE OF BRITISH COLUMBIA ON RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS,

THAT ALL FOREST TENURES, MINERAL CLAIMS, LAND LEASES BE DECLARED IN MORATORIUM AFTER EXPIRED DATES OF SUCH LICENCES AND LEASES UNTIL AGREEMENT IS REACHED BETWEEN THE GOVERNMENTS AND THE NATIVE PEOPLE ON RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS, THAT THE GOVERNMENT OF BRITISH COLUMBIA DOES NOT RENEW ANY RESOURCE LICENCE, MINERAL CLAIMS, TREE FARM LICENCES, TIMBER SALE HARVESTING LICENCES, TIMBER SALE LICENCES, AND PULP HARVESTING LICENCES WHEN THEY EXPIRE AND THAT THE GOVERNMENT OF BRITISH COLUMBIA CANCEL OLD CROWN GRANT TIMBER BERTHS, THAT NO NEW PROVINCIAL OR FEDERAL PARK BE ESTABLISHED UNTIL AFTER SUCH AGREEMENT ON RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS,

THAT ALL LANDS PRESENTLY DESIGNATED "FEDERAL CROWN LANDS" WITHIN BRITISH COLUMBIA SHALL BE IMMEDIATELY TURNED OVER TO THE INDIAN PEOPLE OF BRITISH COLUMBIA, AS A SHOW OF GOOD FAITH IN RECOGNITION OF NATIVE TITLE AND ABORIGINAL RIGHTS UNDER TERMS TO BE NEGOTIATED BY THE INDIAN PEOPLE OF BRITISH COLUMBIA,

WE, THE NATIVE PEOPLE OF THE TRIBES OF BRITISH COLUMBIA, HEREBY DECLARE AND AFFIRM OUR INALIENABLE RIGHT OF NATIVE TITLE AND

ABORIGINAL RIGHTS TO THE LAND, THE MINERALS, THE TREES, THE LAKES, THE RIVERS, THE STREAMS, THE SEAS, AND OTHER RESOURCES OF OUR NATIVE LAND. WE DECLARE THAT OUR NATIVE TITLE AND ABORIGINAL RIGHTS HAVE EXISTED FROM TIME IMMEMORIAL, EXISTS AT THE PRESENT TIME, AND SHALL EXIST FOR ALL FUTURE TIME,

WE, THE NATIVE PEOPLE OF THE TRIBES OF BRITISH COLUMBIA, DECLARE THAT WE SHALL DO ALL IN OUR POWER TO SEE THAT THE GOVERNMENTS OF CANADA AND BRITISH COLUMBIA RECOGNIZE, IN LAW, AND IN PRACTICE, OUR NATIVE TITLE AND ABORIGINAL RIGHTS.
