Union of B.C. Indian Chiefs

 51st Annual General Assembly

October 1st- 3rd, 2019

Musqueam Community Centre, xʷməθkʷəy̓əm (Musqueam Territory)

### Draft Resolution no. 2020-\_\_

**RE: Provincial and Federal Implementation of the National Indigenous Justice Summit’s Immediate Action Points**

**WHEREAS** the Union of BC Indian Chiefs (UBCIC) in partnership with several other Indigenous and human rights organizations, including the Nuu-chah-nulth Tribal Council, BC First Nations Justice Council, Indigenous Bar Association, and the Indigenous Community Legal Clinic (UBC), organized a two-day virtual, free-to-attend National Indigenous Summit on July 7-8th that brought together a multitude of participants, moderators, and key panelists from across Canada who shared the overarching perspective that immediate action is needed to eliminate current and intensifying practices of oppression at all levels of Canadian policing and justice systems;

**WHEREAS** the National Indigenous Summit was guided by ten “[Immediate Action Points](https://drive.google.com/file/d/1cNorGCrqUzWxJJRNbSqsj0g3R7JIZsKu/view?fbclid=IwAR23S81xuUm8pzv-rgKeOLKRyOruNes562IFFqKdDGo9xM7xL9yOdhTNiE8),” a list of key recommendations that provide a starting point for widespread reform in areas related to policing, human rights protections, and the courts and broader justice system, including creating a national Indigenous-led police oversight body, establishing Indigenous courts, and ensuring there is appropriate Indigenous representation as judges, police, and Crown officials at all levels of the criminal justice system;

**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 BC, committed to implement, affirms:

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

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

**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 other programmes affecting them and, as far as possible, to administer such programmes through their own institutions;

**WHEREAS** UBCIC Resolutions 2019-44 and 2020-03 called attention to the historical and ongoing systemic inequities found in Canada’s justice system that target and disproportionately impact Indigenous people, including Canada’s failure to uphold the principles of the *Gladue* decision, the overcriminalization of Indigenous women and girls, and the overincarceration of Indigenous people in federal prisons;

**WHEREAS** the BC First Nations Justice Council (BCFNJC), established in 2016 through resolutions of the BC First Nations Summit, the Union of BC Indian Chiefs, and the BC Assembly of First Nations, entered into to a Memorandum of Understanding (MOU) with the Province of British Columbia on September 7, 2017, committing to the development and implementation of a joint justice strategy to transform the criminal justice system and the relationship between Indigenous peoples and the criminal justice system; and

**WHEREAS** by UBCIC Resolution 2020-12, the UBCIC Chiefs Council endorsed the joint BC First Nations Justice Strategy (“the Strategy”) that was developed through regional engagement sessions with First Nations throughout 2018-2019, and calls upon the provincial government to continue to work collaboratively with the BCFNJC to implement the Strategy and to uphold the principles of change encompassed by the Strategy in all areas of the justice system.

**THEREFORE BE IT RESOLVED** the UBCIC Chiefs Council fully supports and endorses the Immediate Action Points from the National Indigenous Justice Summit as a strong framework of reform that complements and strengthens the ongoing work by the BCFNJC to implement the BC First Nations Justice Strategy and re-build the relationship between Indigenous peoples and the criminal justice system;

**THEREFORE BE IT FURTHER RESOLVED** the UBCIC Chiefs Council urges the federal and provincial governments to review the Immediate Action Points and work collaboratively with Indigenous people across the country to figure out the best ways to implement them so as to safeguard and advance the wellbeing, safety, Title and Rights, and cultural integrity of Indigenous peoples;

**THEREFORE BE IT FURTHER RESOLVED t**he UBCIC Chiefs Council directs the UBCIC Executive and staff to work with the other like-minded organizations and the BCFNJC to continue advancing the BC First Nations Justice Strategy, the Immediate Action Points, and advocacy related to the vast inequities in Canada’s human rights, policing and justice systems that lead to the overincarceration and overcriminalization of Indigenous people.

**Moved: [Chief/Proxy, First name and last name, community]**

**Seconded: [Chief/Proxy, First name and last name, community]**

**Disposition:**

**Date:**