

# FIRST NATIONS LEADERSHIP COUNCIL

## News Release

November 26, 2020

### **FNLC Marks the One Year Anniversary of the Passage of *Declaration on the Rights of Indigenous Peoples Act* and Calls for Substantive Action**

(Xʷməθkʷəy̓əm (Musqueam), Skwxwú7mesh (Squamish) and səilwətał (Tsleil-Waututh)/Vancouver, B.C.) Today the First Nations Leadership Council (FNLC) acknowledges the one-year anniversary since British Columbia became the first province in Canada and one of the first jurisdictions in the world to enshrine the human rights of Indigenous peoples in law. Bill 41, the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act), was passed unanimously on November 26, 2019.

This landmark legislation was a result of the collective efforts from Indigenous peoples across the province to advance a framework for reconciliation based on the *United Nations Declaration on the Rights of Indigenous Peoples*. The journey from Bill 41 to the Declaration Act, although long and full of challenges, saw unprecedented collaboration between the Province and First Nations and renewed vigor from the government to positively advance the First Nations-Crown relationship.

Today, the FNLC calls upon the provincial government to recognize and use this important anniversary as impetus for greater, substantive and concrete action. Although the Declaration Act has been passed, it remains ineffective until the provincial government commits to working with First Nations to fully implement it in the coming year, including ensuring a cross-ministerial mandate is deployed and that the Premier's Office plays a considerable role in the Act's implementation.

In recent months, the province has experienced many significant events, such as the ongoing COVID-19 pandemic and a provincial election that resulted in a historic NDP victory. Unfortunately, these events significantly impacted effective implementation of the Declaration Act to ensure Indigenous input on provincial policy and legislation and made it all the more apparent that the government must do more to do so. Instead of aligning its actions and laws with the Act, we have seen the Province push forward in recent months with several pieces of legislation, including Bill 22 *Mental Health Amendment Act* and Bill 17 *Clean Energy Amendment Act*, without engaging with First Nations Title and Rights holders and without regard to the detrimental impacts these bills stand to have on First Nations and the rejection of these bills that many First Nations publicly provided.

As we move forward into a new year, it is crucial we remember our achievements but also hold the Province accountable to its words and actions. The FNLC urges the NDP government to live up to its commitments under the Declaration Act, including ensuring new and



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existing laws are consistent with the UN Declaration, and fulfilling its election commitment to establish a dedicated Secretariat to oversee the Declaration Act's implementation.

“One year ago, we made history in BC with the adoption of the *Declaration on the Rights of Indigenous Peoples Act – Bill 41*. The BC Assembly of First Nations, our partners at the First Nations Leadership Council and First Nations in BC all worked hard to push for this legislation. We are pleased that the BC Government accepted our challenge and became the first jurisdiction in North America to implement the UN Declaration. The rights of Indigenous peoples are now guaranteed by the laws of British Columbia. We are grateful for the partnership that led to that historic moment. But the year since has been a challenge. We continue to push for the Declaration Act to be meaningfully implemented. That means overhauling and aligning legislation in BC; without significant action to make progress on implementation, the Declaration Act is meaningless. We will not stop holding the provincial government to their commitments to align legislation and to build a strong action plan which addresses fundamental and significant issues such as self-determination, lands, territories and resources, economic and fiscal relations, cultural and language, social well-being and racism,” stated Regional Chief Terry Teegee.

“One year ago we were excited by the passage of the Declaration Act as a means to turning the page on the provincial government's history of denying our rights leading to a new era and path for building respectful and modern government-to-government relationships where Indigenous governments and citizens are included in all decisions that affect them, their families and their territories”, said FNS Political Executive member Cheryl Casimer. “While the glacial pace to effect progressive change within government, combined with the impacts of the COVID-19 pandemic, has proven to be a great stumbling block in achieving this in a timely manner, we remain optimistic that we are on the right track. We are encouraged by the new majority government's commitment to ‘improving Indigenous input on provincial policy and legislation’ and to create a dedicated Secretariat to ensure all new legislation and policies are consistent with the UN Declaration in consultation and cooperation with Indigenous leadership. We look forward to actively engaging with Premier Horgan and his new Cabinet to ensure this new Secretariat has a mandate to succeed.”

“This year, First Nations have faced immense challenges to their welfare and rights that have been intensified and exacerbated by the COVID-19 pandemic, making it all the more paramount for the provincial government to not only stay the course in its implementation of the Declaration Act, but to expedite it,” stated Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs. “As the NDP enters into a new term with a significant majority government, it is critical they make the necessary and overdue

advancements that will align provincial policy and legislation with the UN Declaration. They must consult and work closely with First Nations every step of the way, including relying upon Indigenous leadership and guidance when establishing a dedicated Secretariat that will ensure government policies and legislation are consistent with the UN Declaration. We look forward to engaging and collaboratively working with Premier Horgan and his cabinet to achieve the progress we all want to see. ”

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*The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).*

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