



BRITISH COLUMBIA

VIA EMAIL

May 27, 2021

Cheryl Casimer
Robert Phillips
Lydia Hwitsum
First Nations Summit

Grand Chief Stewart Phillip
Chief Don Tom
Kukpi7 Judy Wilson
Union of BC Indian Chiefs

Regional Chief Terry Teegee
BC Assembly of First Nations

c/o email: CBraker@fns.bc.ca

Dear First Nations Leadership Council:

Thank you for your letter dated April 14, 2021, in which you request the inclusion of Indigenous identity and social condition as protected grounds in the *Human Rights Code* (the Code) by the end of 2021.

As you may know through our recent consultations with your respective organizations, ministry staff are working on a proposed amendment to add Indigenous identity to the Code. As you have mentioned, Madama Justice Arith Walpetko We'dalx Walkem's 2020 report entitled *Expanding our Vision*, highlighted the extent to which Indigenous peoples experience pervasive levels of discrimination and face barriers in accessing human rights protections.

While the Human Rights Tribunal has interpreted the current protected grounds of race, colour, ancestry and place of origin, as encompassing a person's Indigenous identity it is clear that Indigenous people continue to be underrepresented at the Tribunal. It is hoped that by making this implicit protection explicit that the Tribunal will become more accessible to Indigenous people.

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I agree that adding social condition as a protected ground should also be considered, however, unlike Indigenous identity, significant policy work including consultations with various rights holders, stakeholders and partners will be required as this is a new addition to the Code. We are aware of a number of additional issues that have been raised, and we will continue to work with you in the future on proposed changes to the Code.

As always, I am grateful for your time and work with us, as we work to ensure government meets its obligations under *the Declaration on the Rights of Indigenous Peoples Act*.

Yours truly,

A handwritten signature in black ink, appearing to be 'D. Eby', written in a cursive style.

David Eby, QC
Attorney General and
Minister Responsible for Housing