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## COMMUNIQUE TO FIRST NATIONS

### Declaration on the Rights of Indigenous Peoples Act: BC's Consultation Draft Action Plan

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To: First Nations in BC  
From: First Nations Leadership Council (BC Assembly of First Nations, First Nations Summit, Union of BC Indian Chiefs)  
Date: July 21, 2021

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On June 11, 2021, the Province released a consultation draft of the action plan required under section 4 of the Declaration of the Rights of Indigenous Peoples Act ("Declaration Act") with a deadline for input of July 30, 2021.

By way of resolutions adopted by Chiefs and leaders at BCAFN, FNS and UBCIC meetings, the FNLC was directed to work with the Province on this draft Declaration Act action plan, emphasizing the mandates provided by Chiefs through resolutions, submissions from BC First Nations, and a summary of submissions provided by First Nations Organizations. While the FNLC contributed ongoing input and perspectives to the action plan, it is a document that is owned by the Province and developed and endorsed by its Ministries and Cabinet – not the FNLC.

Resolutions also called on the Province, in partnership with the FNLC, to hold dialogue session(s) directly with Title and Rights Holders on the action plan consultation draft. **Given the pressures of wildfires, residential school recoveries, and that the gathering season is upon us, the FNLC has called on BC to extend the timeline for consultation with title and rights holders and First Nations Organizations into the fall.** Enclosed is the correspondence issued to BC on this matter, which also includes some preliminary feedback from the FNLC on the consultation draft, which includes the following high-level points:

- Include a straightforward acknowledgement of the fact that colonialism was attempted genocide of First Nations in BC.
- Prioritize actions specifically to make proper space for First Nations legal orders and exercise of self-government and self-determination, reflecting a Nation-based approach and that support Indigenous Governing Bodies to assume their rightful place in law-making and decision making and exercising Indigenous laws, legal orders, jurisdiction and management of the lands and resources in their territories.
- Be edited to remove any suggestion that any Indigenous people apart from BC First Nations hold any title or associated territorial rights.
- Include a clear list of year one priorities which will be updated on an annual basis, and in fact to immediately commence action on a number of these actions as a demonstration of the provincial government's commitment and good faith.
- Eliminate previously-announced commitments from the action plan to provide better accountability for delivering results against actions specifically designed to advance Indigenous human rights.
- Implement clearer and more direct language throughout the action plan, replacing soft commitments to "continue", "engage" or "explore" with clear and measurable action statement commitments.

First Nations are encouraged to actively participate in this process. This work is not only important within BC but also nationally, given that the Government of Canada will also be required to develop an action plan under the *Act respecting the United Nations Declaration on the Rights of Indigenous Peoples* which passed third reading in the Senate on June 16.

The FNLC will continue to urge an extension and will ensure that time is set aside at our upcoming assemblies to discuss the consultation draft action plan.