

# First Nations Summit

June 13, 2024

Councillor Trish Mandewo, President  
Union of BC Municipalities  
Via email to: [mwells@ubcm.ca](mailto:mwells@ubcm.ca)

Dear Ms. Mandewo:

**Re: Call for Municipalities to Implement the *United Nations Declaration on the Rights of Indigenous Peoples***

Enclosed is a signed copy of a resolution approved by the First Nations Summit (FNS) Chiefs in Assembly calling upon municipal governments to strengthen unique First Nation-municipal relations; continuously work in consultation and cooperation with First Nations in BC; and uphold and implement the UN Declaration as required by the *Declaration on the Rights of Indigenous Peoples Act*.

As well, by way of the same resolution the FNS Chiefs in Assembly call upon the provincial and federal governments to explicitly legislate requirements for municipalities to implement the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration); and strengthen accountability measures to ensure local governments are taking all measures necessary to meet the minimum human rights standards of the UN Declaration and are reporting on such actions and their work that is carried out in consultation and cooperation with First Nations of the territories where municipalities are located.

As you will recall, the FNS promotes and supports First Nations in their efforts to exercise and defend their rights, including their constitutionally protected Aboriginal and treaty rights and their Indigenous human rights affirmed by the UN Declaration. A central way FNS does this is by supporting and representing the interests of First Nations who are negotiating treaties, agreements, and other constructive arrangements with the Crown. The FNS represents the collective positions taken by those First Nations that have chosen to pursue the negotiation of modern treaties with British Columbia and Canada, with the oversight of the British Columbia Treaty Commission.

Local governments play a significant role in the lives of Indigenous peoples (land use planning, environmental protection, emergency planning, economic development, delivery of services); however, not all municipalities in BC have taken action to adopt and implement the UN Declaration, as required by the Declaration Act, and there remain disagreements over what obligations municipalities owe to First Nations.

Meaningful implementation of the UN Declaration requires municipal governments to, among other things, obtain the free, prior and informed consent of Indigenous peoples through their own respective institutions, combat prejudice and eliminate discrimination, take effective and special measures to ensure continuing improvement of the economic and social conditions of Indigenous peoples, and establish and implement assistance programs for Indigenous peoples to preserve and protect the environment and the protective capacity of their territories.

In 2015, we wrote to UBCM calling upon municipal governments (as well as the federal, provincial, and territorial governments) to fully adopt and implement the principles, norms and standards of the UN Declaration as a framework for reconciliation including the following commitments:

- to ensure that government institutions, policies, programs, and practices comply with the Declaration; and
- to engage in ongoing public dialogue and actions to support the UN Declaration.

This 2024 resolution is a further reflection of the need for ongoing relationship building.

The City of Vancouver's UNDRIP Task Force and its Action Plan work is an important example of reconciliation in progress. As you know, In October 2022, Musqueam, Squamish, Tsleil-Waututh and the City of Vancouver became the first intergovernmental partners to collectively approve a strategy to implement the Declaration at the municipal level - in Canada and the world. The co-developed strategy includes 79 Calls to Action for implementation over time. This type of relationship building could serve as a model for other municipal governments in BC to study and tailor to their own specific relationships.

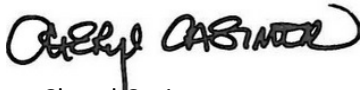
We ask UBCM to share this correspondence and resolution with your membership and encourage them to seize this important opportunity to strengthen their relationships with First Nations. We also urge UBCM to encourage municipal governments to expressly commit to revise their policies, practices, and approaches to governance to recognize and implement the UN Declaration and an inclusive and distinctions-based approach in their dealings with Indigenous peoples.

Sincerely,

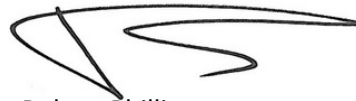
**FIRST NATIONS SUMMIT POLITICAL EXECUTIVE**



Hugh Braker



Cheryl Casimer



Robert Phillips

Attachment (1): First Nations Summit Resolution #0424.15 (Call for Municipalities to Implement the *United Nations Declaration on the Rights of Indigenous Peoples*)

cc. Union of BC Indian Chiefs  
BC Assembly of First Nations  
Marlene Wells, UBCM

# First Nations Summit

## RESOLUTION #0424.15

**SUBJECT: CALL FOR MUNICIPALITIES TO IMPLEMENT THE *UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES***

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### WHEREAS:

- A. In 2015, the Truth and Reconciliation Commission (TRC) released its Final Report, including 94 Calls to Action. Call to Action #43 specifically calls on all levels of Canadian government to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* (the UN Declaration).
- B. Following the release of the TRC's Calls to Action, both Canada and BC committed to fully commit, adopt and apply the UN Declaration, taking steps to acknowledge and recognize its legally binding nature through the enactment of the *Declaration on the Rights of Indigenous Peoples Act*, SBC 2019, c 44 (the Declaration Act), and the federal *United Nations Declaration on the Rights of Indigenous Peoples Act*, SC 2021, c 14, which requires all laws in Canada and British Columbia to align with the UN Declaration.
- C. On March 30, 2022, the Government of British Columbia released its Action Plan, developed in consultation and cooperation with Indigenous peoples, as required by section 4 of the Declaration Act. The Action Plan identifies goals and outcomes that form the long-term vision for the implementation of the UN Declaration in the province.
- D. Under their delegated authority in Canadian law, specifically the *Community Charter*, *Vancouver Charter* and *Local Government Act*, municipal governments may take administrative measures that affect Indigenous peoples and their inherent rights.
- E. Local governments play a significant role in the lives of Indigenous peoples (land use planning, environmental protection, emergency planning, economic development, delivery of services); however, not all municipalities in BC have taken action to adopt and implement the UN Declaration, as required by the Declaration Act, and there remain disagreements over what obligations municipalities owe to First Nations.
- F. By Resolution #0615.13, the First Nations Summit Chiefs in Assembly called upon the federal, provincial, territorial and **municipal governments** to take immediate steps to fully implement all of the recommendations of the Truth and Reconciliation Commission and to fully adopt and implement the principles, norms and standards of the UN Declaration as a framework for reconciliation including the following commitments: a) to ensure that government institutions, policies, programs, and practices comply with the UN Declaration; and b) to engage in ongoing public dialogue and actions to support the UN Declaration.



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**RESOLUTION #0424.15**

**SUBJECT: CALL FOR MUNICIPALITIES TO IMPLEMENT THE UNITED NATIONS  
DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

G. The UN Declaration, which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:

**Article 4:** Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

**Article 5:** Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

**Article 10:** Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

**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 19:** States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them.

**Article 26 (1):** Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

**(2):** Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

**(3):** States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

**Article 27:** States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

H. There is an urgent need to review, clarify and deepen First Nations relationships with municipal governments, and for municipalities to revise their policies, practices, and approaches to governance to recognize and implement the UN Declaration and an inclusive and distinctions-based approach in its dealings with Indigenous peoples.

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**RESOLUTION #0424.15**

**SUBJECT: CALL FOR MUNICIPALITIES TO IMPLEMENT THE *UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES***

- I. Meaningful implementation of the UN Declaration requires municipal governments to, among other things, obtain the free, prior and informed consent of Indigenous peoples through their own respective institutions, combat prejudice and eliminate discrimination, take effective and special measures to ensure continuing improvement of the economic and social conditions of Indigenous peoples, and establish and implement assistance programs for Indigenous peoples to preserve and protect the environment and the protective capacity of their territories.
- J. Similarly worded resolutions were approved at BC Assembly of First Nations and Union of BC Indian Chiefs assemblies.

**THEREFORE, BE IT RESOLVED:**

1. That the First Nations Summit Chiefs in Assembly call upon the provincial and federal governments to:
  - a. explicitly legislate requirements for municipalities to implement the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration); and
  - b. strengthen accountability measures to ensure local governments are taking all measures necessary to meet the minimum human rights standards of the UN Declaration and are reporting on such actions and their work that is carried out in consultation and cooperation with First Nations of the territories where municipalities are located.
2. That the First Nations Summit Chiefs in Assembly call upon municipal governments to:
  - a. strengthen unique First Nation-municipal relations;
  - b. continuously work in consultation and cooperation with First Nations in BC; and
  - c. uphold and implement the UN Declaration as required by the *Declaration on the Rights of Indigenous Peoples Act*.

**MOVED BY:** Chief Mark Point, Skowkale First Nation  
**SECONDED BY:** Chief Alice Thompson, Leq'á:mel First Nation  
**DATED:** April 4, 2024

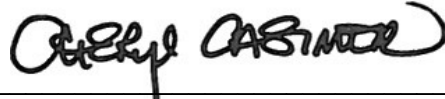
Passed by consensus.

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RESOLUTION #0424.15

SUBJECT: CALL FOR MUNICIPALITIES TO IMPLEMENT THE *UNITED NATIONS  
DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES*

ENDORSED BY:



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Cheryl Casimer



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Robert Phillips



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Hugh Braker