OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
43RD ANNUAL GENERAL ASSEMBLY
SEPTEMBER 14TH – SEPTEMBER 16TH, 2011
WHISTLER, B.C.

Resolution no. 2011-38

RE: Further Support for Indian Residential Day Scholars

WHEREAS the Union of BC Indian Chiefs supports just compensation for all Residential School Survivors, including Day Scholars and Day Students;

WHEREAS the Day Scholars and Day Students claims were not pursued by the Assembly of First Nations (AFN) in the 2006 Settlement Agreement. Day Scholars attended Indian Residential School during the day while Day attended federally operated schools;

WHEREAS Tk'emlúps te Secwépemc and Sechelt First Nation members – as well as members of many other First Nations endured loss of culture, loss of language, and emotional, spiritual, sexual, physical, and psychological abuse and other injustices while attending Indian Residential School as Day Scholars and Day Students. This severely affected them and their children, now grandchildren and they have not been compensated;

WHEREAS the United Nations *Declaration on the Rights of Indigenous Peoples* states:

Article 8.1: Indigenous peoples and individuals have the right not be "Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

Article 8.2: States shall provide effective mechanisms for prevention of, and redress for:

a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
b) Any action which has the aim of or effect of dispossessing them of their lands, territories or resources;
c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

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Grand Chief Stewart Phillip, President

d) Any form of forced assimilation or integration;
e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

WHEREAS Tk'emlups te Secwépemc and Sechelt First Nation collaborated and joined forces to pursue redress and to ensure ongoing funding for healing for Day Scholars and Day Students;

WHEREAS the Tk'emlúps te Secwépemc are committed to obtaining redress for Day Scholars and Day Students and have committed financial resources to date and have agreed jointly with the Sechelt First Nation to cost share a future class action suit against the Government of Canada;

WHEREAS the Tk'emlúps te Secwépemc and Sechelt First Nations will launch their class action suit (the "Tk'emlúps –Sechelt Day Scholar Class Action") and invite other affected First Nations who are financially able to join their suit;

WHEREAS by Resolution 2010-34, the UBCIC Chiefs-in-Assembly resolved that failing any progress with a settlement package for Day Scholars, the Chiefs-in-Assembly would support the class action suit against the government for the "irreparable harm and damage to First Nations culture, language, way of life, family, community and social structures" as stated in their 2005 class action suit on behalf of residential school students;

WHEREAS the Tk'emlúps te Secwépemc and Sechelt First Nation will remain the "Instructing parties" of the Day Scholars and Day Students Class Action.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly will provide moral, political, legal, and other support as able to the Tk'emlúps te Secwépemc and Sechelt First Nation Day Scholars and Day Students Class Action;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to demand that the Government of Canada extend automatic compensation to the Tk'emlúps te Secwépemc and Sechelt First Nation Day Scholars and Day Students and all other affected Day Scholars and Day Students from other First Nations, or in the alternative, demand that the Government of Canada pay Day Scholars and Day Students compensation reflecting an increase of 30% over the Common Experience Payments provided to former residents of Indian Residential Schools under the 2006 Indian Residential Settlement Agreement;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to further demand that the Government of Canada provide redress for the Day Scholars and Day Students to include an ongoing financial commitment for the required healing and support systems and processes in each community;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly will continue to act in the best interest of the Day Scholars and Day Students by advocating to the Government of Canada for just compensation for Day Scholars and Day Students.

Moved: **Chief Shane Gottfriedson, Tk'emlúps te Secwépemc**
Seconded: **Chief Rick Denault, Skeetchestn Indian Band**
Disposition: **Carried**
Date: **September 15th, 2011**

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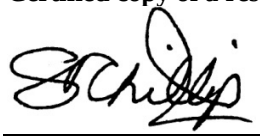

Grand Chief Stewart Phillip, President