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. 2011-43

RE: Support for Bonaparte Plateau Bands to Receive Consultation Funding from MFLNRO

WHEREAS since April 2011, the four Bonaparte Plateau Bands (Skeetchestn, Bonaparte, Whispering Pines/Clinton and High Bar) have engaged with Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) to come to an agreement around: shared revenue, shared resources, shared decision-making, and culture and heritage protection;

WHEREAS the Bonaparte Plateau Bands were led to believe that the MFLNRO would meet with them on a monthly basis and pay for the costs of these meetings and the expense of consultations pertaining to the four issues described above;

WHEREAS the Bonaparte Plateau Bands were recently informed by MFLNRO staff that the MFLNRO would not cover these costs;

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

> **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 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

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Grand Chief Stewart Phillip, President

own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration;

WHEREAS by Resolution 2011-04, the UBCIC Chiefs Council called upon the Province of BC to provide the resources necessary to engage First Nations in meaningful consultation on a government-to-government basis whenever the Crown's duty to consult is triggered. Such actions would include when the Crown is considering a process or decision with potential infringement on Aboriginal Title, Rights and/or Treaty Rights, including commencement of resource-related activities;

WHEREAS the legal duty to consult and accommodate First Nations for infringements to their unextinguished Aboriginal Title and Rights, and Treaty Rights, is a burden on any Crown title that may be held by the Province for BC, as reiterated by UBCIC Resolution 2010-45;

WHEREAS the Bonaparte Plateau Bands refuse to subsidize the MFLNRO and its legal obligations of consultation.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly fully support the Bonaparte Plateau Bands (Skeetchestn, Bonaparte, Whispering Pines/Clinton and High Bar) in demanding that the Ministry of Forests, Lands, and Natural Resource Operations (MFLNRO) provide consultation funding in order to reach an agreement around: shared revenue, shared resources, shared decision-making, and culture and heritage protection;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to communicate support for the Bonaparte Plateau Bands to the MFLNRO;

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC Executive to strongly reiterate to the MFLNRO that consultation funding is a necessity reflected in current case law and in the spirit and intent of the United Nations *Declaration on the Rights of Indigenous Peoples*.

Moved: **Chief Nelson Leon, Adams Lake Indian Band**
Seconded: **Chief Fred Robbins, Esketemc First Nation**
Disposition: **Carried**
Date: **September 16th, 2011**

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