OUR LAND IS OUR FUTURE

UNION OF BRITISH COLUMBIA INDIAN CHIEFS

FOUNDING HEAD OFFICE
209 - 345 Yellowhead Highway
Kamloops, B.C. V2H 1H1
Tel: 250-828-9746
Fax: 250-828-0319

VANCOUVER OFFICE
5th Floor, 342 Water Street
Vancouver, B.C. V6B 1B6
Tel: 604-684-0231
Fax: 604-684-5726
1-800-793-9701
Email: ubcic@ubcic.bc.ca
Web: www.ubcic.bc.ca

UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
MARCH 9TH- MARCH 10TH, 2011
VANCOUVER, B.C.

Resolution no. 2011-06

RE: Secwepemc Jurisdiction over Cultural Heritage

WHEREAS pursuant to their aboriginal title and inherent rights as a sovereign Nation, the Secwepemc Nation maintains jurisdiction over Secwepemc lands and cultural heritage resources. It is their right, as a sovereign Nation to manage the protection of cultural heritage resources within Secwepemc Territory;

WHEREAS the Secwepemc Nation asserts that provincial cultural heritage protection laws must cease to apply in Secwepemc territory. The Secwepemc Nation must be free to implement and enforce its own cultural heritage protection laws;

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

- Article 8(1): Indigenous individuals have the right not to be subjected to forced assimilation or destruction of their culture.
- Article 11(1): Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect, and develop the past, present, and future manifestations of their cultures, such as archaeological and historical sites, artifacts, ceremonies…
- Article 12(1): Indigenous peoples have the right to "maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.
- Article 12(2): States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.
- Article 31(1): Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions... and their intellectual property;

WHEREAS the Province has failed to protect our cultural heritage resources with legislation, leaving our scared sites, burial grounds and other significant heritage sites open for destruction or exploitation by others;

WHEREAS the Union of BC Indian Chiefs (UBCIC), First Nations Summit (FNS), and the BC Assembly of First Nations (BCAFN) were mandated by resolution to support the work of the Joint Working Group on First Nations Heritage Conservation (JWGFNHC);

WHEREAS the JWGFNHC produced a draft First Nations Heritage Conservation Action Plan ("draft Action Plan") and circulated to all First Nations in B.C. on February 7, 2011 for input and feedback. A revised draft Action Plan was presented at the First Nations Heritage Forum on February 22-23, 2011, and the draft Action Plan is being further revised and circulated among First Nations for input;

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council acknowledges that the Secwepemc Nation, exercising their right to govern and speak for themselves, do not endorse the February 2011 draft First Nations Heritage Conservation Plan proposed by the Joint Working Group on First Nation Heritage Conservation;

THEREFORE BE IT FINALLY RESOLVED that the UBCIC Chiefs Council supports the Secwepemc assertion of jurisdiction over their cultural heritage protection.

Moved: **Chief Judy Wilson, Neskonlith Indian Band**
Seconded: **Chief Wayne Christian, Splatsin**
Disposition: **Carried**
Date: **March 10, 2011**