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BC Treaty Commission welcomes the tabling of federal bill to implement the *UN Declaration on the Rights of Indigenous Peoples*

VANCOUVER – The tabling of Bill C-15 by the federal government yesterday is an important step in implementing the rights affirmed in the *UN Declaration on the Rights of Indigenous Peoples (UN Declaration)*. The Treaty Commission is optimistic that this Bill will have positive impacts to treaty negotiations and implementation in BC.

The purpose of the Bill is to provide a framework for the Government of Canada’s implementation of the *UN Declaration*. Important preambular language in the Bill emphasizes that “all relations with Indigenous peoples must be based on the recognition and implementation of the inherent right to self-determination, including the right of self-government.” The Bill also emphasizes that “treaties, agreements and arrangements can contribute to the implementation of the Declaration.”

These are core principles of the treaty negotiations process in British Columbia. As noted in the Treaty Commission’s recent Annual Report 2020, modern treaties represent a constitutionally protected sharing of sovereignty among the signatories to the treaty. The vacating of power by the Governments of Canada and British Columbia — through the permanent constitutional mechanism of modern treaties — is unique in the world.

Another core purpose of the Bill is to ensure that the Government of Canada take all measures necessary to ensure that the laws of Canada are consistent with the *UN Declaration*.

“Implementing the *UN Declaration*, including the right to ‘free, prior and informed consent,’ will require governments to continue to vacate power to make greater space for Indigenous self-government. We view Bill C-15 as a tool to ensure government departments assess whether all their old authorities are still needed in a time of reconciliation and partnership and vacate jurisdictions to make greater space for Indigenous self-government” says Chief Commissioner Celeste Haldane.

“We have some powerful tools at our disposal: the *Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia*; BC’s groundbreaking Bill 41, the *Declaration on the Rights of Indigenous Peoples Act*; and, if passed, federal Bill C-15. We must make sure we build something meaningful with these tools. Implementation of the UN Declaration is possible through fairly negotiated and honourably implemented treaties, agreements, and other constructive arrangements in BC,” Chief Commissioner Haldane added.

Quick Facts:

- Canada officially announced full endorsement of the UN Declaration on the Rights of Indigenous People in 2016, nine years after it was adopted by the UN General Assembly.
- The Principals expanded the Treaty Commission’s mandate in January 2018: “Through its role in facilitating treaty negotiations, BCTC will support the

implementation of the [UN Declaration](#), the [TRC's 94 Calls to Action](#), the [federal Principles](#), and the recognition of First Nations right and title.”

- In September 2019, the Principals endorsed a new [Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia](#). This new treaty negotiations policy explicitly details how negotiations will be grounded in the recognition of Indigenous rights and ownership of Indigenous lands and resources. The policy was also expanded to support “treaties, agreements, and other constructive arrangements.” This ground-breaking policy is the first tripartite public policy recognizing and protecting Indigenous rights in British Columbia and is a framework to implement the UN Declaration.
- On November 28, 2019 Bill 41, the [Declaration on the Rights of Indigenous Peoples Act](#) received Royal Assent in the BC Legislature. British Columbia became the first province or territory in Canada, and one of the first governments in the world, to enact legislation that implements the UN Declaration.
- As of March 2020, the Government of Canada fulfilled its 2019 budget commitment to forgive all outstanding comprehensive claims negotiation loan debt held by Indigenous peoples across Canada.
- Since April 2018 First Nations negotiations support funding is 100 percent contribution-only.

FOR MORE INFORMATION

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About the BC Treaty Commission

The Treaty Commission is the independent body responsible for overseeing treaty negotiations among the governments of Canada, BC and First Nations in BC. It has three roles: facilitation, funding, and public information and education.