

**DECLARATION & PROTOCOL**  
**Of**  
**RECOGNITION, SUPPORT, COOPERATION**  
**AND COORDINATION**  
**Between**  
**THE FIRST NATIONS LEADERSHIP COUNCIL**  
**(BC ASSEMBLY OF FIRST NATIONS, FIRST NATIONS SUMMIT**  
**and UNION OF BC INDIAN CHIEFS,)**  
**And**  
**FIRST NATIONS EDUCATION STEERING COMMITTEE**

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**DECLARATION**

As the original and Indigenous Peoples to this great land, we have the inalienable right of self-determination. By virtue of this right, we are free to determine our political status and free to pursue our economic, social, health and well-being, and cultural development.

We recognize and affirm that we continue to exist and live as the original and Indigenous Peoples and that this is a fundamental human right.

We recognize and affirm the continued existence of the Indigenous and Aboriginal Title and Rights of our respective First Nations and their people to their traditional territories, lands and resources, and that we continue to exercise our collective and inherent authorities and jurisdictions over and in the territories, lands and resources which we have traditionally occupied, used or otherwise acquired.

We recognize and affirm that, as the original and Indigenous Peoples, we have the right to redress by means of restitution or, where this is not possible, of just, fair and equitable compensation for the territories, lands and resources which we have traditionally owned or otherwise occupied or used and which have been confiscated, taken, occupied, used or damaged without our free, prior and informed consent.

We have been involved in and support:

- the development and adoption of the *United Nations Declaration on the Rights of Indigenous Peoples*;

- the development of the Declaration of the II Summit of the Indigenous Peoples of the Americas;
- the New Relationship with the Province of British Columbia; and
- the Transformative Change Accord with the Governments of British Columbia and Canada.

Therefore we agree to coordinate our political and technical strengths and efforts toward the objectives of:

- advancing the full and proper implementation, recognition, reconciliation and accommodation of Aboriginal Title and Rights, and Treaty Rights;
- improving the lives and socio-economic circumstances of First Nations people and communities in British Columbia;
- ending the denial by the Crown, as represented by the Governments of British Columbia and Canada, of the existence of our Peoples and our Aboriginal Title and Rights to our traditional territories, lands and resources.

## **PROTOCOL**

### **Recognizing:**

- We agree that First Nations and Aboriginal organizations with mandates in British Columbia must coordinate their political and technical strengths toward the objectives of the above *Declaration* and advancing Aboriginal Title and Rights, and Treaty Rights, and improving the socio-economic conditions of First Nations people and communities in British Columbia. We wish to unite and cooperate in their efforts to advance these objectives.
- The First Nations Leadership Council has undertaken an ongoing formal political process to work cooperatively together to politically advance and support the interests and initiatives of all First Nations, First Nations people and First Nations communities in British Columbia, as set out in the *Leadership Accord* signed on March 17, 2005, and further set out in the First Nations Leadership Council Terms of Reference and Accountability Framework, endorsed at the All-Chiefs Assembly in November/December, 2010, and endorsed through resolutions passed by the respective assemblies of the BC Assembly of First Nations, First Nations Summit, and the Union of BC Indian Chiefs.
- The First Nations Education Steering Committee (FNESC):
  - is an independent society led by a strong and diverse board of 105 First Nations community representatives and serves as the lead policy and advocacy body on First Nations education in BC;
  - supports First Nations autonomy and authority over education as a component of their inherent right of self-government;



- leads the advancement of quality education, improving accountability and improving education outcomes for all First Nations students in BC
  - leads the advancement, as directed by First Nations Governments, of First Nations control of First Nations education through capacity development support, policy, legislation and negotiated arrangements, such as the Education Jurisdiction Agreements and corresponding legislation, and the Tripartite Education Framework Agreement;
  - works in partnership with the federal and provincial governments to implement tripartite and bilateral agreements;
  - communicates the priorities of BC First Nations to the federal and provincial governments, and other education partners, and to support First Nations leadership and communities in working together to advance First Nations education;
  - undertakes communications, research, partnership-building and advocacy as central aspects of its activities;
  - administers education supports and services;
  - represents BC First Nations in national processes at the Assembly of First Nations on education issues, as directed by BC First Nations;
  - reports to and takes political direction from the First Nations Chiefs in BC; and
  - supports the First Nations Leadership Council's mandate.
- The First Nations Leadership Council and the provincial and federal governments have committed to work together to improve the socio-economic conditions of First Nations in British Columbia, and to advance recognition and reconciliation of pre-existing Aboriginal Title and Rights with the assertion of Crown sovereignty. To this end, the First Nations Leadership Council has:
    - developed, with the Province of British Columbia, a vision for a new government-to-government relationship between First Nations Governments and the BC Government based on respect, recognition and accommodation of Aboriginal Title and Rights (the "New Relationship"); and
    - signed a Transformative Change Accord with the Province of British Columbia and the Government of Canada; and
    - been involved in, and support, the *United Nations Declaration on the Rights of Indigenous Peoples*, which was endorsed by Canada on November 12, 2010.
  - Cooperative efforts to advance the New Relationship and the Transformative Change Accord are ongoing.
  - Each of us has an important role to play in advancing these and other initiatives to improve the lives of First Nations people in British Columbia.

## **We agree as follows:**

### **Purpose**

We recognize and affirm that First Nations Peoples continue to exist in British Columbia and Canada and have traditional ownership over and in their territories, lands and resources and continue to exercise their authority in and over their territories, lands and resources.

We recognize and affirm the Aboriginal Title and Rights, and any Treaty Rights of First Nations in British Columbia, including their autonomy, jurisdiction and authority with respect to their traditional territories and, within this context, the purposes of this Protocol are to:

- a. affirm our intentions to work together in a cooperative manner, and to provide support for one another's efforts, advance the recognition, respect and accommodation of Aboriginal Title and Rights, and Treaty Rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts;
- b. establish a mechanism by which we can:
  - i. identify areas where we can work together within our respective mandates, to advance the New Relationship, the Transformative Change Accord, and any other initiatives or processes aimed at improving the conditions of First Nations communities; and
  - ii. identify how we will communicate, exchange information, effectively organize activities, and streamline their efforts;
- c. deal with any other purpose we identify and agree to.

This Protocol is only for communications and advocacy for the protection of Aboriginal Title and Rights and to improve the lives of First Nations people in British Columbia and is not a process to support the funding requirements of any First Nation organizations.

### **Principles**

We agree that the implementation of this Protocol will be guided by principles set out in the Accountability Framework Appendix to the First Nations Leadership Council Terms of Reference, in addition to the following principles:

- a. respect for and recognition of the Aboriginal Title and Rights, and Treaty Rights, of First Nations;
- b. respect for and recognition that Indigenous Peoples have the right of self-determination and, by virtue of that right, they freely determine their political status and freely pursue their economic, social, health and well-being, and cultural development;



- c. respect and recognition of and respect for our respective mandates;
- d. respect for existing agreements outside of this Protocol we may have in place; and,
- e. recognition that cooperation requires an effective communication process between us.

We recognize that other First Nations and Aboriginal organizations have mandates and a role to play with respect to advancing the objectives of this Protocol and that our coordination of efforts and cooperation with each other, and with other First Nations and Aboriginal organizations, will better maximize benefits to First Nations in British Columbia and, to advance the objectives set out in this Protocol, we will:

- a. seek opportunities and endeavor to work with other organizations; and
- b. encourage other organizations to coordinate their efforts with us and with one another.

## **Cooperation**

We commit to engage in an ongoing, cooperative dialogue to achieve the purposes of this Protocol.

We commit to participate in assemblies of the First Nations Leadership Council and all organizations that enter into a Protocol with the First Nations Leadership Council, to be hosted by the First Nations Leadership Council.

We commit to participate in regular meetings (i.e. quarterly) of the Executive Directors (or their equivalent) and policy staff of all organizations that enter into a Protocol with the First Nations Leadership Council.

FNESC commits to continue to regularly report to the First Nations Leadership Council on their successes, progress, barriers or issues in order to increase understanding and awareness of issues and to identify opportunities for support and coordination.

We commit to ongoing support for the Transformative Change Accord, the ongoing New Relationship process, and other initiatives aimed at addressing the needs of First Nations.

We may develop strategies or work plans, and/or establish joint working groups/committees, including developing Terms of Reference on issues of common concern or priority to advance the purposes of this Protocol.

## **General**

We may amend this Protocol from time to time by our agreement in writing.

This Protocol does not create any financial obligations on either of us.

This Protocol does not limit or affect the mandate or the ability of any member organization of the First Nations Leadership Council to pursue their respective political mandates.

This Protocol will continue until such time as we agree it is no longer required.

Signed this 12<sup>th</sup> day of November, 2015


**FIRST NATIONS LEADERSHIP COUNCIL**


***On behalf of the B.C. ASSEMBLY OF FIRST NATIONS***

  
Shane Gottfriedson  
Regional Chief

***On behalf of the FIRST NATIONS SUMMIT***

  
Cheryl Casimer  
Task Group Member

  
Robert Phillips  
Task Group Member

  
Grand Chief Edward John  
Task Group Member


***On behalf of the UNION OF B.C. INDIAN CHIEFS***

  
Grand Chief Stewart Phillip  
President

  
Chief Bob Chamberlin  
Vice President

  
Kukpi7 Judy Wilson  
Secretary-Treasurer

***On behalf of the FIRST NATIONS EDUCATION STEERING COMMITTEE***

  
Tyrone McNeil, Chair