

UNDRIP TASK GROUP

FNFC: ANNUAL GENERAL ASSEMBLY 2020

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FNFC-BC MOU

- In 2019, FNFC signed a Memorandum of Understanding (MOU) with 3 provincial ministries (FLNRORD, MIRR & AGRI)
- Formalizes a collaborative working relationship and coordinates approaches to support FN involvement in the development and implementation of policy and management of fish, fisheries, water and habitat
- The MOU provides the overall framework through which the FNFC will advance UNDRIP priorities pertaining to aquatic life in BC



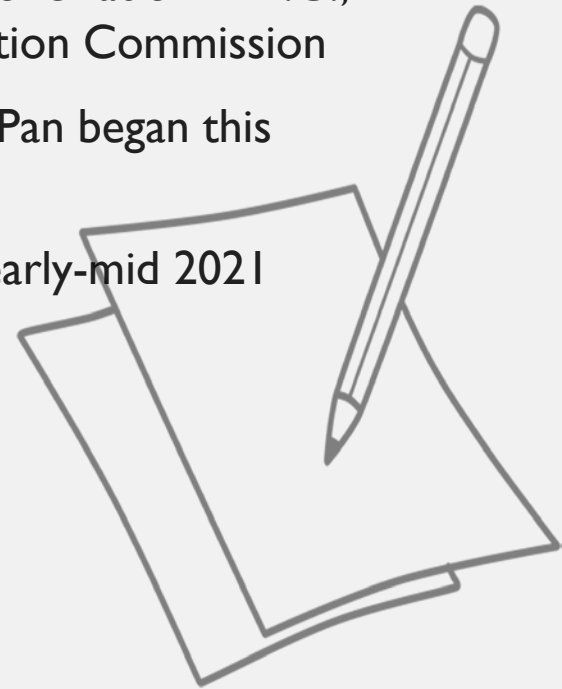


BC DECLARATION ACT (DRIPA) OVERVIEW

- *Declaration on the Rights of Indigenous Peoples Act* passed into BC law November 2019
- Establishes a legislative framework requiring the BC government to “take all measures necessary” to ensure provincial laws are consistent with UNDRIP.
- Mandates an unprecedented provincial legislative and policy reform agenda in order to achieve consistency with UNDRIP.
- Enables the negotiation of new forms of joint or consent-based decision-making agreements

DEVELOPMENT OF ACTION PLAN

- The Action Plan will be a key instrument for identifying and guiding the measures necessary to achieve the objectives of the Declaration Act.
- Developed in collaboration with the First Nations Leadership Council at the direction of First Nations, it will create a framework for reconciliation in B.C., in keeping with the Calls to Action of the Truth and Reconciliation Commission
- Broader FN engagement on the development of the Action Plan began this summer, and may continue into the fall/winter 2020
- The final draft of the action plan is set to be completed by early-mid 2021



FNFC UNDRIP TASK GROUP RATIONALE

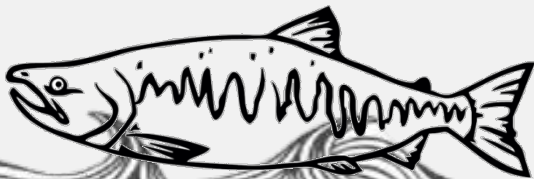
FNFC Council delegates advanced motions directing the organization to provide guidance to provincial, federal, and Indigenous leaders on the implementation of reconciliation, UNDRIP, and the Declaration Act (DRIPA)

FNFC Council provided direction to FNFC to strike an **UNDRIP Task Group**



FNFC UNDRIP TASK GROUP PURPOSE

To identify priorities and concrete mechanisms to realize UNDRIP within the development, review, and implementation of legislation, policies, regulations, and programs related to fisheries, habitat, and aquatic resources.



BC'S WATER SUSTAINABILITY ACT: A PRIORITY FOR REFORM UNDER DRIPA

- BC currently updating 100+ year-old *Water Act*
- Many provisions critical to Aboriginal Title and Rights and Treaty Rights yet to be developed
- as part of the new *Water Sustainability Act*
- In 2019 FNFC released *Towards a Water Sustainability Act First Nations Engagement Framework: Working Group Recommendations for Collaborative Development of Regulations and Policies*
- Recommendation #1: Bring WSA into line with UNDRIP



BC'S WATER SUSTAINABILITY ACT: A PRIORITY FOR REFORM UNDER DRIPA

- WSA **critical** for reform:
 - Decision-making, consent, and co-governance
 - Acknowledgement of Indigenous jurisdiction and rights related to water
 - Ecosystem protection and environmental flows



- FNFC will release *Declaration on the Rights of Indigenous Peoples Act and High Priority Water Sustainability Act Reforms* Direction Paper in November 2020

NEXT STEPS

- Identifying fisheries and water priorities for the Action Plan will be the initial Task Group focus
- Future objectives:
 - Identification of priority **legislative reforms, operational/structural reforms** and long-term **reconciliation opportunities**
 - Ensure clear linkages and info sharing with Tier 1 & Tier 2 Declaration Act implementation structures, FN Leadership and the Province





THANK YOU

FNFC: Annual General Assembly 2020

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