

BUILDING LAND AND RESOURCES ALLIANCES AMONG FIRST NATIONS

Joint Statement from Participating Nations

September 12, 2003

WHEREAS, Aboriginal Title and Aboriginal and Treaty Rights continue to exist in British Columbia

WHEREAS, the First Nations of British Columbia never surrendered jurisdiction over our lands.

WHEREAS, First Nations from across British Columbia have come to Okanagan territory for the first in a series of province-wide First Nations sessions to initiate collaborative strategic action around land and resources issues and to build alliances.

WHEREAS, recent court cases have affirmed the legal position of First Nations in their advancement of Aboriginal Title and Treaty Rights by confirming the obligation on the Crown and third parties to consult with Aboriginal people and reach meaningful accommodation on land and resource matters;

WHEREAS, the provincial Crown has deliberately attempted to undermine these legal advances through sweeping amendments to the Forest Act and to the framework for forest practices, land use planning and land designations, all of which will interfere with the provincial Crown's ability to meet its fiduciary duties to First Nations and will infringe Aboriginal Title and Aboriginal and Treaty Rights.

WHEREAS, the provincial Crown has unilaterally implemented these sweeping amendments ignoring the court-recognized legal obligations for meaningful consultation and accommodation in the development, passage and implementation of the Forest Act amendments and other related legal, administrative and policy changes (e.g. Forest and Range Practices Act, Working Forest, defined forest areas management, sustainable resource management plans, etc),

WHEREAS, meaningful consultation and accommodation is not occurring with First Nations regarding decisions related to tenure and the allocation of resources.

WHEREAS, the provincial Crown's document "*Strategic Policy: Approaches to Accommodation*" unilaterally places unreasonable constraints on First Nations access to tenure and revenue-sharing, calling into question the provincial Crown's rhetoric regarding new opportunities for First Nations.

WHEREAS, draft forestry interim measures (or "Forestry/Range Agreements") unilaterally developed and offered by the Ministry of Forests require First Nations to restrict our ability to exercise Aboriginal Title and Aboriginal and Treaty Rights.

WHEREAS, there is inadequate capacity and financial resources for First Nation to meaningful participate in consultation.

WHEREAS, research directed by institutions throughout British Columbia is primarily focused on developing information, data and policies that serve interests of government and industry and not the interests of First Nations.

We, the assembled treaty, non-treaty and non-aligned nations from across British Columbia

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speak with one voice to say:

1. We will stand united in the face of threats by the provincial Crown and resource industries to our Aboriginal Title and Aboriginal and Treaty Rights.
2. Only the First Nations of BC can provide the certainty that the provincial Crown and resource industries are seeking. Until proper accommodation occurs neither businesses nor their investors will have the certainty they seek.
3. We will work together to protect the well being of our land, water and air by developing and implementing a coordinated and integrated Action Plan to exercise First Nation interests in the lands and resources of our territories.
4. We will use legal, financial and political opportunities to protect the integrity of the land and resources and advance Aboriginal Title and Aboriginal and Treaty Rights including:
 - Legal challenges to the constitutionality of tenures and forestry legislation;
 - Informing investors that BC is not open for business until First Nations have been dealt with honourably;
 - Continuing to exercise our Aboriginal Title and Aboriginal and Treaty Rights on our land; and
 - Building alliances amongst First Nation organizations and with like-minded supporters.
5. We seek reconciliation with the provincial Crown. The terms of engagement for beginning this process include:
 - Jurisdiction over allocation and management decisions (at least equal decision-making authority);
 - Compensation for past activities;
 - Revenue-sharing;
 - Exclusive use and occupation of specified areas within our traditional territories; and
 - Openness/fairness and accommodation of First Nations in forestry and range law and policy changes.
6. The next step in developing and implementing a coordinated Action Plan will be in a province-wide First Nations meeting hosted by Carrier Sekani Tribal Council in Prince George, British Columbia on October 21-23, 2003.