



# Declaration on the Rights of Indigenous Peoples Act

2021-2022 ANNUAL REPORT



BRITISH  
COLUMBIA





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In British Columbia, we have a shared commitment to ensure that the province is a place where the inherent rights of Indigenous Peoples are recognized, and First Nations, Métis and Inuit people thrive.

So it is with care, attention, and a deep sense of accountability that we present the third annual report on our collective efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).

In consultation and cooperation with Indigenous Peoples, we are working together to ensure the human rights of Indigenous Peoples become part of the foundations of our province, through the work of every government ministry and in every aspect of society.

British Columbia made history in 2019 when we passed legislation to adopt the United Nations Declaration on the Rights of Indigenous Peoples – the first jurisdiction in Canada to do so. The Declaration on the Rights of Indigenous Peoples Act (Declaration Act) is the province’s framework for implementing the UN Declaration. This report contains highlights from April 1, 2021 to March 31, 2022 on the implementation of the UN Declaration as required under the Declaration Act.



The past year included many accomplishments. On March 30, 2022, we introduced the Declaration Act Action Plan, the first of its kind. Built in partnership with Indigenous Peoples, it articulates the specific actions every ministry in government is committed to undertake between 2022 - 2027 in an effort to create a better province for Indigenous Peoples. It is the next step in delivering transformative change in government's relationship with Indigenous Peoples in B.C.

This report also highlights some of our work with Indigenous Peoples to advance all measures necessary to ensure new and existing laws are consistent with the UN Declaration. This includes upholding Indigenous human rights through the BC Human Rights Code and amending laws in areas like children and family services, education, and forestry.

Reflecting on this work should fill us all with a deep sense of pride and admiration for contributions of leaders, scholars, local governments, policy makers and educators and others who have and are helping to build a better future. This is ground-breaking work and we are proud that it is being recognized globally.

And there is much more to be done. B.C. cannot step away from our colonial past. We must face it and learn from it.

Reconciliation and fully implemented human rights for Indigenous Peoples are imperative. We will continue to work in consultation and cooperation, taking informed and constructive action to ensure we advance the full complement of Indigenous rights.

Together, we're working to make this province a place where the human rights of Indigenous Peoples are respected, celebrated, and finally implemented.

Sincerely,

**Honourable John Horgan**  
Premier of British Columbia

**Honourable Murray Rankin**  
Minister of Indigenous Relations  
and Reconciliation



# Introduction

In November 2019, the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) was unanimously passed by the Legislative Assembly of British Columbia, making B.C. the first jurisdiction in Canada to adopt the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UN Declaration).

The Declaration Act establishes the UN Declaration as the framework for reconciliation in B.C. and enables legislative, regulatory and policy changes to be made over time to support implementation.

Section 5 of the Declaration Act requires the Province to report annually on progress made on the alignment of provincial laws with the UN Declaration, and the development and implementation of an action plan to achieve the objectives of the UN Declaration. Section 5 of the Act also requires that the development of annual reports be accomplished in consultation and cooperation with Indigenous Peoples.

This third annual report outlines progress made between April 1, 2021 and March 31, 2022 on those two requirements as well as work to advance the implementation of the UN Declaration more broadly.

## Snapshot – Article 19 of the UN Declaration

**“States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them”**



Together with Indigenous Peoples, the Province saw significant progress in this reporting period. On March 30, 2022, the Province released the [Declaration Act Action Plan](#), making B.C. the first jurisdiction in Canada to deliver an action plan to implement the UN Declaration. Key legislation was passed, including changes to the *Interpretation Act* that makes explicit that provincial laws uphold the rights of Indigenous Peoples under Section 35 of the *Constitution Act, 1982*. The Province also began reorganizing internally to better support the implementation of the UN Declaration. As announced in February, it created the Ministry of Land, Water, and Resource Stewardship and began the establishment of the Declaration Act Secretariat.

In addition, progress to meet the objectives of the UN Declaration occurred through other work that strengthens government-to-government relationships, advances identified priorities through funding contributions and identifies strategies to address systemic injustice. A selection of those key initiatives is included in this report.

In developing this annual report, the Province worked in consultation and cooperation with the First Nations Leadership Council (FNLC)<sup>1</sup>, Alliance of BC Modern Treaty Nations, and Métis Nation British Columbia (MNBC) on the proposed approach and content. Ministries also reached out to the First Nations, Indigenous political bodies, and service organizations mentioned in this report. Their feedback and guidance were used to inform the development and finalization of this report.

### Snapshot – Better Stewardship of our Lands and Resources

Stewardship and management of B.C.'s lands and resources are two of government's greatest responsibilities. After a comprehensive organizational effectiveness review in 2021, a new Ministry of Land, Water and Resource Stewardship and Minister Responsible for Fisheries was established. The mandate for this ministry is to co-develop a vision for land and resource management with First Nations that embraces shared decision making on the land base. Also, it further integrates key strategic policies, including implementation of the Declaration Act across the natural resource sector ministries; develops frameworks that help achieve economic stability and responsible economic growth through reconciliation; addresses inclusive land use policy and planning; brings alignment to key strategic water responsibilities; and prioritizes biodiversity and ecosystem health.

<sup>1</sup> The First Nations Leadership Council is comprised of the political executives of the British Columbia Association of First Nations, First Nations Summit, and Union of British Columbia Indian Chiefs. This group works together to develop coordinated approaches to issues relevant to First Nations communities throughout B.C.



# Declaration Act Legislative Requirements

This section speaks to progress made over the reporting period to implement the Declaration Act, namely the alignment of provincial laws with the UN Declaration (Section 3) and the development of an action plan to achieve the objectives of the UN Declaration (Section 4).

### Alignment of Laws (Section 3)

Section 3 of the Declaration Act requires government, in consultation and cooperation with Indigenous Peoples, to take all measures necessary to ensure new and existing laws are consistent with the UN Declaration. As such, where legislation affects Indigenous Peoples, ministries must demonstrate through their legislative proposals that their legislation is consistent with the UN Declaration and that they have worked with those Indigenous Peoples affected by the legislative measures on development and/or reform.

*“The UN Declaration sets out the minimum standards for the survival and dignity of Indigenous Peoples. Indigenous Peoples are facing major threats to the survival of our peoples and our way of life. In many areas of law and policy this has not been fully understood, leaving us exposed to incredible risk in the face of health pandemics, climate change, removal of our peoples from our traditional territories and waters, and the lingering discrimination and sexism faced by Indigenous women and girls, LGBTQ2S+. The Union of BC Indian Chiefs supports the new reforms to the Interpretation Act and Human Rights Code, but we know we have to double down on the hard work to make real progress and switch from simply promoting the rights of Indigenous Peoples, to implementing the rights of Indigenous Peoples every day in all areas of life in British Columbia.”*

.....  
**Kukpi7 Judy Wilson,  
Union of BC Indian Chiefs**





The alignment of laws requires a whole-of-government approach, with each ministry responsible for ensuring their legislation meets these Declaration Act obligations, while also advancing a distinctions-based approach.<sup>2</sup>

Aligning provincial laws requires B.C. and Indigenous Peoples to determine mechanisms and processes for the review of existing legislation, and the development of new legislation that is collaborative, constructive, efficient and effective.

### ***New/Amended Laws Aligned with the UN Declaration***

Ensuring provincial laws are consistent with the UN Declaration and that new and amended bills are developed in consultation and cooperation with Indigenous Peoples relies on strong collaboration between the Province and Indigenous Peoples.

The Province is developing processes and protocols to ensure consultation and cooperation with Indigenous Peoples so that the alignment of laws is efficient, effective and comprehensive. For example, in August 2021 the Ministry of Children and Family Development (CFD) and FNLC finalized a [Letter of Commitment](#) to confirm the principles, processes, roles and responsibilities that CFD will implement to work with Indigenous governments and FNLC as it undertakes legislative and policy changes to transform CFD services and systems. The Province is committed to consultation and cooperation with First Nations rights and title-holders on a government-to-government level.

For the reporting period of 2021-2022, B.C. has made tangible progress on the alignment of laws to the UN Declaration.

Below is a list of highlighted legislation.

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**2** The distinction-based approach requires that the Province's dealings with First Nations, Métis and Inuit Peoples be conducted in a manner that acknowledges the specific rights, interests, priorities and concerns of each, while respecting and acknowledging these distinct Peoples with unique cultures, histories, rights, laws, and governments. Section 35 of the *Constitution Act, 1982*, recognizes and affirms the rights of Aboriginal Peoples of Canada, while all Indigenous Peoples have human rights that are expressed in the UN Declaration. However, not all rights are uniform or the same among or between all Indigenous Peoples. In many cases, a distinctions-based approach may require that the Province's relationship and engagement with First Nations, Métis and Inuit Peoples include different approaches or actions and result in different outcomes.



### **ACCESSIBLE BRITISH COLUMBIA ACT**

The *Accessible British Columbia Act* establishes the legal framework to identify, prevent and remove barriers to accessibility. The Ministry of Social Development and Poverty Reduction worked with Indigenous partners to identify opportunities to strengthen the legislation's alignment with the UN Declaration.

Ongoing consultation and cooperation with Indigenous Peoples will be critical to ensure that regulations developed under the Act align with the UN Declaration in accordance with the Declaration Act and reflect the input received from Indigenous Peoples.

### **AMENDMENTS TO THE ADOPTION ACT**

October 2021 amendments to the *Adoption Act* authorized information-sharing under the Act and provided the legal authority for directors to share adoption information with the Government of Canada that would support adult adoptees seeking status under the federal *Indian Act*. The changes established this authority to support First Nation adoptees in obtaining their status so they can gain access to federal health, dental and other benefits.

### **CHILD, FAMILY AND COMMUNITY SERVICE ACT**

Amendments to the *Child, Family and Community Service Act* (CFCSA) in October 2021 more closely aligned the Act with the information-sharing requirements of the federal statute, *An Act respecting First Nations, Inuit and Métis children, youth and families* which, among other things, sets out a commitment to implementing the UN Declaration. Partner engagement is currently underway on broader child and family service reform to understand, for example, how best to align the CFCSA with the UN Declaration.



## EDUCATION STATUTES AMENDMENT ACT

On November 2, 2021, the *Education Statutes Amendment Act* passed into law, amending the *First Nations Education Act*, the *Teachers Act*, and the *Criminal Records Review Act*, all in support of First Nations' control over First Nation education

Through these amendments, the Province will support First Nations' jurisdiction over education on First Nation land. The changes to legislation enable the Minister of Education and Child Care to make agreements with the First Nations Education Authority (FNEA) for services that support teacher certification and regulation by FNEA. The Ministry of Education and Child Care (ECC) consulted and cooperated with Negotiating First Nations (NFN) in the development of an approach for the supports provided by the Province, which will involve the ECC providing operational support to the FNEA's own teacher certification and regulation processes.

In addition, the legislation changes the composition of the British Columbia Teachers' Council, which is the provincial body responsible for setting teacher education program approval standards, approving teacher education programs and establishing certification, conduct and competence standards for provincial teaching certificate holders. The change will ensure representation and a voice for FNEA on the Council.

ECC co-developed the legislative amendments with the First Nations Education Steering Committee (FNESC), which was acting under direction of NFN. Specifically, ECC engaged in extensive discussions with FNESC to co-develop a model for teacher certification to support the jurisdiction over education initiative. Once there was general agreement on the overarching model, ECC formed a technical working group comprised of ECC and FNESC staff. The working group reported out to a larger bilateral table, which included NFN representatives.





These bilateral meetings started in 2019 and were held approximately every two months. Of note, NFN appointed FNEC to negotiate with ECC, under their direction. FNEC sought direction on decision points from NFN.

Through the technical working group, ECC worked with FNEC, acting under the direction of the NFN, to co-develop the documents seeking Cabinet approval. FNEC and ECC presented jointly on this initiative at the Assistant Deputy Ministers' Committee.

ECC sent notification letters and background information, developed in collaboration with FNEC, to Treaty Nations and all First Nations in August 2021. ECC sent letters to all Treaty and non-Treaty First Nations explaining the amendments and inviting dialogue. While the timing was tight, the legislation was still under development and there were still opportunities to make changes. Further to the notification letters, there were follow-up discussions with several treaty and non-treaty First Nations and there were no resulting changes to the draft legislation.

This has represented a different way of working, in line with the Declaration Act. ECC will continue to build on the experiences and lessons learned in this initiative moving forward.

### **FORESTS STATUTES AMENDMENT ACT**

The *Forests Statutes Amendment Act* received Royal Assent in November 2021, which amended the *Forests Act*, *Forest and Range Practices Act* and *Forest Practices Code of British Columbia Act*. The amendments introduced transformative shifts to the forest and range planning in B.C., by establishing the framework for an approach that is more focused on ecological and cultural values. A key part of this will be replacing forest stewardship plans, which are currently developed by industry, with forest landscape plans developed by the Province with First Nations, local communities and stakeholders. Through the development of forest landscape plans, the amendments will create new opportunities for shared decision-making between the Province and First Nations.

The amendments also enhance the Province's ability to have management control over forest roads to protect public safety and the environment, improve wildfire management and update compliance



and enforcement authorities. Improvements made under these amendments were informed by the introduction of the Declaration Act and represent a step towards bringing provincial laws into harmony, over time, with the UN Declaration.

While this does signal progress, the amendments were considered by some First Nations and First Nation leadership organizations as not going far enough to sufficiently recognize First Nation jurisdiction over the full scope of decision-making under the *Forest and Range Practices Act*.

Most of the provisions must be enacted through regulations. The Ministry of Forests anticipates that the associated regulatory changes will be developed, and enacted, in phases from spring 2022 through to spring 2024, and is committed to moving forward on this transformative work in consultation and cooperation with First Nations partners.

### **HUMAN RIGHTS CODE AMENDMENT ACT**

In November 2021, B.C. passed Bill 18, the *Human Rights Code Amendment Act* to further uphold Indigenous human rights and advance reconciliation with Indigenous Peoples by adding Indigenous identity as a protected ground against discrimination under the B.C. Human Rights Code. This amendment will help combat anti-Indigenous racism and protect Indigenous Peoples from discrimination.

Bill 18 responded to recommendations to add Indigenous identity as a protected ground by Ardith Walpetko We'dalx Walkem in her report, [\*Expanding our Vision: Cultural Equality and Indigenous Peoples' Human Rights\*](#), and by Mary Ellen Turpel-Lafond, in her report [\*In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care\*](#). Bill 18 was developed in consultation and cooperation with Indigenous representative organizations.



### ***Interpretation Amendment Act***

Bill 29 brought changes to the *Interpretation Act* through the addition of a universal non-derogation clause which makes it explicit that provincial laws uphold, and do not abrogate or derogate from, the rights of Indigenous Peoples under Section 35 of the *Constitution Act, 1982*. Bill 29 also amended the *Interpretation Act* to provide that all provincial acts and regulations must be read to be consistent with the UN Declaration. Bill 29 represents an important step forward in the alignment of the laws of B.C. with the UN Declaration.

These amendments arose from long-standing and more recent calls for change from Indigenous Peoples and were developed and drafted in consultation and cooperation with Indigenous representative organizations and interested rights-bearing communities.

*"The Interpretation Act amendments ... are a critical step in supporting meaningful implementation of the Declaration Act. We look forward to continued work with B.C. in our collective and ongoing efforts to take all measures necessary to ensure all new and existing laws and regulations in B.C. are consistent with the Declaration Act. This will require joint and strategic work to audit and update laws and regulations to bring them into alignment with Indigenous human rights standards. In particular, the critical work to eradicate all forms of racism, denial and discrimination against Indigenous Peoples is particularly pressing."*

.....  
**Cheryl Casimer**  
First Nations Summit



### **Declaration Act Secretariat**

The Declaration Act ensures that embedding the UN Declaration into B.C.'s laws, policies and practices is a cross-government responsibility, and that this work must be undertaken with Indigenous Peoples. This effort will require significant shifts in government standards, processes and measures for legislative and policy development and signals the need for a centralized and dedicated body to drive this all-of-government, collaborative approach. Murray Rankin, Minister of Indigenous Relations and Reconciliation, was instructed in his 2020 Mandate Letter to bring forward a plan for a dedicated secretariat by the end of 2021.

The 2022 Budget Speech announced the creation of the secretariat that will guide and assist the Province in meeting its obligation to ensure legislation is consistent with the UN

Declaration, and is developed in consultation and cooperation with Indigenous Peoples.

*“The shifts needed to align B.C.’s laws with the UN Declaration are challenging. Provincial laws must now meet a new commitment to achieve consistency with the UN Declaration.*

*The work ahead requires B.C. and Indigenous Peoples to work together to identify an approach for both the review of existing legislation as well as the development of new legislation – an approach that is collaborative, efficient and constructive.*

*The Declaration Act Secretariat will guide and assist government to meet these obligations.”*

.....  
**Murray Rankin**  
*B.C. Minister of Indigenous  
Relations and Reconciliation*



## Action Plan – (Section 4)

Section 4 of the Declaration Act describes the Province’s commitment to preparing and implementing an action plan to achieve the objectives of the UN Declaration, in consultation and cooperation with Indigenous Peoples. After two years of intensive engagement, the Province released the first Declaration Act Action Plan on March 30, 2022.

Developed in consultation and cooperation with Indigenous Peoples, the action plan includes collectively identified goals and outcomes that provide the long-term strategic vision for achieving the objectives of the UN Declaration. It outlines 89 tangible, achievable actions in the areas of self-determination and self-government, rights and title, ending anti-Indigenous racism and enhancing social, cultural and economic well being.

*“This plan is a first for any government in the world. It will drive transformative change in the relationship with Indigenous Peoples and help us build a brighter future for everyone. By working together in partnership, we are creating more opportunities, better jobs and stronger environment protections. This is a roadmap that builds on the progress we have made – a new way forward and another important step towards meaningful reconciliation.”*

.....  
**Premier John Horgan**

### Development

The Province began the 2021-2022 fiscal year with a robust set of feedback gathered from the previous year. This included an early analysis of known Indigenous-identified priorities across government and seven months of engagement with First Nations, First Nations political leadership, First Nations organizations, historical and Modern Treaty Nations, MNBC and Indigenous service organizations. During the spring of 2021, that feedback was analyzed and on June 11, 2021, an initial draft of the action plan was publicly released.

The draft outlined four broad themes that drew from the articles of the *UN Declaration*. Each theme includes a goal with specific outcomes and proposed actions for implementation between 2022 and 2027.

This draft became the basis for broader engagement over the summer to inform the final action plan. The Province welcomed input from Indigenous Peoples in B.C. on all components of the draft action plan – from themes, to goals, outcomes statements and actions.





The original engagement period – June 11 to July 31, 2021 – was extended to September 15, 2021. With the extended window, the Province also provided additional options for feedback, including opportunities for input at the fall assemblies of the British Columbia Assembly of First Nations (BCAFN), First Nations Summit (FNS) and Union of British Columbia Indian Chiefs (UBCIC). Any feedback received after those deadlines but before March 2022 was reviewed, circulated to relevant ministries for consideration, and used to inform final decisions on action plan content.

The decision to extend the engagement period was made out of consideration of the substantial impacts on First Nations and Indigenous Peoples arising from wildfires, residential school findings, and the heat dome. The Province needed to ensure that Indigenous Peoples were not being asked to decide between caring for their communities during these events and providing critical advice and direction to inform the final action plan.

Over the two years of engagement, the Province:

- hosted 150 meetings with First Nations and Indigenous organizations
- received more than 100 written submissions
- received more than 100 feedback forms directly through the online engagement website.

During this period, the Province also engaged local governments, businesses, industry associations, and not-for-profits through Ministry-led meetings, feedback forms, and written submissions.

### ***Finalization***

Over the fall and winter months, considerable feedback was reviewed, considered, and used. The final draft action plan is the product of the collaborative development process and the rich guidance and input received throughout.

While the overall structure of the action plan remained the same, there were many changes to the content. Stronger language was included to name the history of colonization and genocide, to explain how the Province will be accountable to the action plan and to provide more clarity about the distinctions-based approach. Further, engagement feedback supported an expanded description of the purpose of the action plan, as well as the addition of stronger language regarding partnership and collaboration, information about Modern Treaties in British Columbia and the Province's need to address Indigenous-specific racism within B.C. Two of the goals were edited to strengthen their meaning and new outcomes were added to support the goals. Actions were updated to strengthen and/or clarify their meaning and new ones were added in response to feedback received.



The final action plan includes commitments:

- to recognize Indigenous Peoples' inherent rights, interests and legal orders,
- support Indigenous students to lead graduation rates and pursue their own excellence,
- enable all Indigenous Peoples to live free from racism and discrimination,
- share decision-making and pursue new fiscal relationship frameworks,
- improve the health and well-being of Indigenous families, and
- end the epidemic of Indigenous children in provincial care.

### **Release**

On March 30, 2022, the Declaration Act Action Plan was tabled in the provincial Legislature and released to the public. Prior to the tabling, Yux'weylupton of the Songhees Nation (Elder Butch Dick) offered a land acknowledgement and song, followed by a blessing offered by Elder Shirley Alphonse of the T'Sou-ke Nation. Once the report was presented, the Minister of Indigenous Relations and Reconciliation, leaders of the Opposition, and leadership from UBCIC, FNS and BCAFN independently addressed the House. The day was an opportunity to acknowledge all of the work and advocacy that led to the action plan. First Nations leaders spoke of hope for the future, the deep engagement, the challenges and thoughtfulness of the work. The day was viewed as an opportunity to pause and reflect on the work completed, commitments made, and relationships strengthened.

*"Two years ago, the seeds of change were sown – a future rife with the promises of true transformation and reconciliation became possible with the historic passage of the Declaration Act. Make no mistake, there have been and there will continue to be numerous obstacles that challenge the work being done to revolutionize and rebuild a relationship that has long been mired in colonial violence and discrimination. Today is not only a day of celebration but a day of reflection and accountability. We must reflect on the processes, frameworks and institutions that continue to deny the Title and Rights of First Nations, enact tremendous harm upon our communities and perpetuate a colonial cycle of marginalization and violence. We must hold our governments and those in positions of power accountable for their actions and their commitments to the Declaration Act. With hope in our hearts we celebrate, reflect and continue the fight for change."*

.....  
**Grand Chief Stewart Phillip**  
Union of British Columbia Indian Chiefs



### *Looking Ahead*

The Declaration Act requires that the action plan be implemented in consultation and cooperation with Indigenous Peoples. Each of the actions in the plan clearly identifies the ministries responsible for leading implementation. As ministries move into the implementation of their respective actions, planning will necessarily include establishing processes<sup>3</sup> with Indigenous Peoples to inform the work as it progresses. In some cases, relationships and processes with Indigenous Peoples are well established. In other cases, the development of relationships and the establishment of effective processes for consultation and cooperation will be a critical part of early implementation work. A mutual commitment to work together to implement the action plan is a central principle in upholding the Declaration Act. It also presents important opportunities to strengthen relationships between the Province and Indigenous Peoples in B.C.

Measuring progress of implementation is a critical piece of work ahead. With the release of the action plan, the Province will begin to report on progress made towards achieving the 89 actions in the next Annual Report. In advance of the next report, the Province will work with Indigenous Peoples to identify tools, indicators and measures for monitoring, assessing and reporting progress on implementation.

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**3** Indigenous partners on the implementation of the Declaration Act Action Plan may include: First Nations, First Nations, Indigenous organizations, Indigenous political bodies, urban Indigenous councils, and/or Indigenous service organizations.





## Profound grief felt around the world

The confirmation of unmarked graves on the grounds of former Indian Residential Schools are a stark reminder of the atrocities of residential schools and reinforce our collective resolve to find answers for the generations of children who were forced to attend these institutions.

### PROVINCIAL RESPONSE:

- In June 2021, IRR set aside \$12 million in funding to support First Nations-led investigations at the sites of former Indian Residential Schools and Indian Hospitals throughout B.C. This included \$1.5 million in funding to assist Indigenous service providers as they respond to the immediate wellness, cultural and mental health needs of Indigenous Peoples throughout British Columbia.
- The Province appointed Charlene Belleau and Chief Lydia Hwitsum as First Nation Liaisons to guide the response to findings at former Indian Residential Schools and Indian Hospitals. Ms. Belleau and Chief Hwitsum have been critical for building trust-based relationships and assisting First Nations as they navigate the complex and sensitive issues that surface in these investigations.

IRR continues to work with the First Nations Health Authority and Indigenous Services Canada to coordinate health and wellness supports and other resources as part of the response.

### CRISIS/HELP LINES:

- **Hope for Wellness Helpline** offers immediate mental health counselling and crisis intervention by phone or online chat to all Indigenous Peoples across Canada. **1 855 242-3310** or start a confidential chat with a counsellor at [hopeforwellness.ca](https://www.hopeforwellness.ca).
- **Indian Residential School Crisis Line** is a national service for anyone experiencing pain or distress as a result of their residential school experience. **1 866 925-4419**.
- **KUU-US Crisis Line Society** provides crisis services for Indigenous people in B.C. **1 800 588-8717, 250 723-4050 (Adults/Elders) and 250 723-2040 (Children/youth)**.
- **Métis Crisis Line** is a service of MNBC. **1 833 MétisBC (1 833 638-4722)**.





# Initiatives to Implement the UN Declaration

The Declaration Act is foundational to implementing the UN Declaration in provincial laws, policies and processes. In addition to the efforts described above, the Province has also made progress to implement the UN Declaration through other initiatives. The following highlights demonstrate the progress the Province has made together with Indigenous Peoples to advance reconciliation over the last year.

Reporting on these initiatives provides transparency and accountability on efforts to implement the UN Declaration. These accomplishments demonstrate what the Province and Indigenous Peoples can achieve together through collaboration.

## Self-Determination and Inherent Right of Self-Government

Indigenous Peoples exercise and have full enjoyment of their rights to self-determination and self-government, including developing, maintaining and implementing their own institutions, laws, governing bodies, and political, economic and social structures related to Indigenous peoples.

### INDIGENOUS SKILLS TRAINING AND EDUCATION

In 2021-2022, the Ministry of Advanced Education and Skills Training (AEST) provided \$15 million in addition to \$24 million in base funding for Indigenous Skills Training and Education (ISTE) programming to support skills training and post-secondary education in Indigenous communities. ISTE supports self-determination by providing funding for programs that enable First Nations and MNBC to support community members in upgrading their skills, obtaining credentials and securing employment.



Funding is also provided for programs delivered by Indigenous organizations such as Aboriginal friendship centres to meet the needs of urban Indigenous people. Funding was provided directly to: First Nations, FNEC, MNBC, the First Nations Technology Council, Indigenous skills and employment training providers and Aboriginal friendship centres.

This funding supports Indigenous Peoples in upgrading their skills, obtaining credentials and securing employment, while developing and supporting community economies. AEST partnered with Indigenous Adult and Higher Learning Association (IAHLA), FNEC, MNBC, and First Nations Technology Council.

### **SHARED PRIORITIES FRAMEWORK**

The Shared Priorities Framework was co-developed by the Alliance of BC Modern Treaty Nations, a collective that represents the eight Modern Treaty Nations, and the Ministry of Indigenous Relations and Reconciliation (IRR) to renew and advance commitments to treaty implementation. The Province and the Alliance worked throughout the year to build shared understandings and strengthen government-to-government relationships, culminating in the signing of the framework in March 2022.

During the reporting period, the Alliance and IRR also worked together to ensure meaningful inclusion of Modern Treaty Nations in the Declaration Act Action Plan and to ensure that the Declaration Act is implemented in a manner consistent with distinct modern treaty rights. In addition, the Alliance and IRR made meaningful progress on a collaborative self-government fiscal policy and treaty nation tax arrangements, exploring new ways of working together on policy and legislative initiatives.

### **TAHLTAN NATION DECLARATION ACT CONSENT AGREEMENT**

In June 2021, Tahltan Central Government and IRR announced the start of negotiations on the first consent decision-making agreement under Section 7 of the Declaration Act. This agreement will also use tools under the *Environmental Assessment Act*. When finalized, this agreement will guide the environmental assessment of the Eskay Creek Revitalization Project while recognizing the rights, values, traditions, knowledge and cultural practices of the Tahltan people.

Tahltan Central Government is the central governing body of the Tahltan Nation and represents matters relating to Tahltan title and rights. The Nation's territory encompasses nearly 11 percent of the province of British Columbia. The territory includes the richest mineral potential in B.C., where private-sector investment has been and continues to be significant. Skeena Resources Limited is proposing to restart the mine at Eskay Creek, which is located within Tahltan Territory approximately 85 kilometres northwest of Stewart.



Section 7 of the Declaration Act provides a mechanism for the Province to recognize Indigenous decisions within the provincial statutory decision-making framework. The *Environmental Assessment Act* provides the enabling legislation required under the Declaration Act for the consent agreement between Tahltan and the Province.

This agreement will outline a transparent and collaborative consent process in support of Tahltan Central Government and provincial decision-making on the Eskay Creek Revitalization Project. This agreement is intended to support ongoing work to achieve long-term comprehensive reconciliation and land-use certainty in Tahltan Territory. It provides greater predictability and transparency in decision-making processes, thereby supporting Tahltan’s self-government while contributing to economic development in the region and investment confidence in B.C.

Sharing decision-making through agreements such as this creates an environment that supports mutually beneficial relationships between TCG and the private sector. The Tahltan Nation Declaration Act Consent Agreement will build upon ongoing collaborative work between the Tahltan Central Government and the Province and advance reconciliation together.

*“When others began visiting Tahltan Territory, it did not change our rightful and ancestral claims to ownership over our homelands, which we have consistently asserted for thousands of years. The Tahltan Nation has never surrendered its rights and title to anyone, and we have always occupied, utilized and protected our lands. To this day, Tahltans remain the majority of people that live throughout our territory. The 1910 Declaration of the Tahltan Tribe affirms our asserted claims. The ongoing evolution and growth of the Tahltan Nation shows outside governments, industry and the world how working alongside the Tahltan Nation as true partners can help secure certainty, economic benefits and pride for everyone involved. This agreement provides an opportunity to meaningfully advance reconciliation grounded in the principles of respect and recognition of Tahltan rights and title.”*

.....  
**President Chad Norman Day**  
Tahltan Central Government





### **INDIGENOUS POST-SECONDARY INSTITUTES**

AEST provided \$4 million in one-time funding to support core operating costs of 10 First Nations-led post-secondary institutes. The funding agreement was developed in partnership with IAHLA and FNEESC.

First Nations-led post-secondary institutes play a critical role in B.C.'s post-secondary system, supporting student participation and success, self-government and self-determination.

An additional \$675,000 was provided to support nine First Nations-led institutes to develop and implement capacity-building projects.

AEST also provided \$100,000 to MNBC to develop a business plan and strategy to establish a Métis-dedicated post-secondary institute for higher education and skills training.

This one-time funding is an important step in the AEST commitment to support and recognize the unique and critical role of Indigenous institutes within B.C.'s post-secondary system.

### **Title and Rights of Indigenous Peoples**

Indigenous Peoples exercise and have full enjoyment of their inherent rights, including the rights of First Nations to own, use, develop and control lands and resources within their territories.

### **LAKE BABINE NATION & GOVERNMENT OF B.C. COLLABORATIVE AGREEMENT**

Lake Babine Nation and the provincial Environmental Assessment Office finalized a collaborative agreement in November 2021 to advance reconciliation, social and community well-being, and regional economic growth under environmental assessment legislation.





The agreement is an important step in shared decision-making between the Province and Lake Babine Nation.

The collaboration agreement describes how the Environmental Assessment Office and Lake Babine Nation will work together on future environmental assessments for projects in the Nation's territory. It highlights the Nation's assessment criteria for proposed projects, including the Nation's Sustainability Framework and Socio-Economic Impacts Framework, allowing proponents to understand what Lake Babine Nation expects of projects proposed for its territory.

The collaboration agreement is the first to be finalized under Section 41 of the *Environmental Assessment Act* and establishes a key shared decision-making precedent for the Province. It is also an important step in advancing the Province's and Lake Babine Nation's reconciliation journey.

The collaboration agreement marks the completion of a key step toward a shared decision-making agreement, which is one of the milestones in the Lake Babine Nation Foundation Agreement reached between Lake Babine Nation, the Province and the Government of Canada in September 2020. A consent agreement will further strengthen the Nation's role in decision-making on environmental assessments by requiring the Lake Babine Nation's consent for certain projects to proceed.

### **Í:XEL SQ'EQ'Ó AGREEMENT**

Í:xel Sq'eq'ó (Together We Paddle) is a unique agreement in that it brings together Leq'á:mel, Máthxwi and Semá:th First Nations, the Ministry of Municipal Affairs and the City of Mission. Under the agreement, the Province will transfer approximately 60 hectares of Crown land to the LMS Society, which represents the three First Nations. The lands will be subdivided to create a park parcel of approximately 50 hectares, which will be leased to the City of Mission to manage for public use as a community park and recreational area, and two development parcels, to be developed by the First Nations to support housing in the area and increase economic and social opportunities.



## Ending Indigenous-specific Racism and Discrimination

Indigenous Peoples fully express and exercise their distinct rights, and enjoy living in B.C. without interpersonal, systemic and institutional interference, oppression or other inequities associated with Indigenous-specific racism and discrimination, wherever they reside.

### A PATH FORWARD: PRIORITIES AND EARLY STRATEGIES FOR BC REPORT

Several key accomplishments took place in 2021-2022 to address violence against Indigenous women, girls and 2SLGBTQIA+ people. These included the release of the provincial report, [\*A Path Forward: Priorities and Early Strategies for BC\*](#). This report was released in conjunction with the release of the federal action plan [\*2021 Missing and Murdered Indigenous Women, Girls, and 2SLGBTQIA+ People National Action Plan: Ending Violence Against Indigenous Women, Girls, and 2SLGBTQIA+ People\*](#) on June 3, 2021.

The Path Forward report reflects priorities identified in dialogue sessions led by the Indigenous firm Alderhill Planning Inc. with survivors, family members and communities held in 2019 and 2021. It sets a solid foundation with early strategies and an investment of \$5.34 million in 2021-2022 to develop and implement the Path Forward Community Fund.

The BC Association of Aboriginal Friendship Centres will manage the fund to help Indigenous communities and organizations expand safety planning capacity. This fund is a key part of the Path Forward, the Province's initial response to the federal government's [\*Reclaiming Power and Place: the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls\*](#).

In alignment with this work, the Ending Violence Association of BC also received \$10 million in funding in 2021-2022 – in addition to the \$10 million received in 2020-2021 – to enhance the Emergency Sexual Assault Services grant program supporting the delivery of coordinated, community-based emergency sexual assault response services throughout B.C.

Recognizing the substantial need for locally relevant and culturally safe supports for survivors in Indigenous communities in B.C., more than 40 percent of this grant funding was allocated to Indigenous service providers.



## TAANISHI KIIYA? MIIYAYOW MÉTIS SAANTII PI MIYOOAYAAN DIDAAN BC REPORT

Resiliency and self-determination are strengths among existing challenges with poorer health outcomes, as indicated in the new report on Métis health and wellness in B.C.

The report [\*Taanishi Kiiya? Miiyayow Métis Saantii Pi Miyooayaan Didaan BC: Métis Public Health Surveillance Program—Baseline Report \(2021\)\*](#) is the result of years of research led by MNBC and the Office of the Provincial Health Officer (PHO). The title is in the Michif (Métis) language, and translates to “How are you? Improving Métis health and wellness in B.C.”

*“This report is the result of a partnership based on trust, mutual respect, collaboration and reconciliation. It provides much-needed information about the health and well-being of Métis people, presented in a way that honours Métis tradition, culture and ways of knowing. I look forward to continuing this partnership and further improving our data collection and reporting process with the goal of making meaningful positive change for the health of Métis people in B.C.”*

.....  
**Dr. Bonnie Henry**  
 B.C. Provincial Health Officer

Métis people have been adversely impacted by ongoing colonial violence, including systemic racism, the residential school system and discriminatory child welfare policies, which have contributed to overall poorer health outcomes.

Together, MNBC and the PHO, along with the Ministry of Health, have developed a plan to monitor and report on the health and wellness of Métis people in B.C. over the next decade. This initiative will include releasing interim reports every three years to assess progress on achieving the 10-year health and wellness targets outlined in the report.



### VIRTUAL INDIGENOUS JUSTICE CENTRE

In October 2021, the Virtual Indigenous Justice Centre opened to provide Indigenous Peoples with online access to legal services and supports and to make navigating the justice system easier.

The virtual centre is a partnership between BC First Nations Justice Council and MAG. The centre provides a range of assistance and supports to Indigenous Peoples, including First Nations, Métis and Inuit, who are otherwise not eligible and/or cannot access legal aid, including:

- ▶ providing legal advice and representation for family and criminal court cases to Indigenous clients in rural and remote communities who would not otherwise have access to support, or for clients in other legal proceedings which could reasonably lead to imprisonment or a child becoming in need of protection,
- ▶ working with the court, where appropriate, to divert legal matters from the formal court system to less intrusive measures, such as alternative dispute resolution processes, mediation and restorative justice processes, in consultation with officers of the court and local protocols, and
- ▶ helping Indigenous Peoples access legal, social, housing, transportation and health and wellness supports to positively and adequately address the challenges many people face in dealing with the current mainstream justice system.

The centre is staffed by lawyers, paralegals and a support team and is part of the broader BC First Nations Justice Strategy that was launched in March 2020.





## Social, Cultural and Economic Well Being

Indigenous Peoples in B.C. fully enjoy and exercise their distinct rights to maintain, control, develop, protect and transmit their cultural heritage, traditional knowledge, languages, food systems, sciences and technologies. They are supported by initiatives that promote connection, development, access and improvement, as well as full participation in all aspects of B.C.'s economy. This includes a particular focus on ensuring the rights of Indigenous women, youth, Elders, children, persons with disabilities and 2SLGBTQIA+ people are upheld.

### BRIDGING THE DIGITAL DIVIDE

Bridging the digital divide is a critical part of the Declaration Act and the Province's commitment to reconciliation and implementing the UN Declaration.

Working together with Indigenous communities, service providers and other organizations, the Ministry of Citizen Services is making steady progress.

As of the end of 2021, as part of StrongerBC, funding has been approved for projects to improve internet access in 84 Indigenous communities. With record investments the Province is making in connectivity, this number will continue to grow.

On March 8, 2022, the provincial and federal governments announced an investment of \$830 million for connectivity infrastructure projects to connect the underserved homes in rural communities and First Nations reserves in B.C. by 2027.

This funding will support the expansion of high-speed internet services to all First Nations in B.C. that have slower internet speeds than recommended by the Canadian Radio-television and Telecommunications Commission of 50/10 Megabits per second.



### **FIRST PEOPLES' CULTURAL COUNCIL**

British Columbia has rich cultural diversity with 204 First Nations communities and 34 First Nations languages, representing more than half of all Indigenous languages in Canada. The importance of supporting the revitalization of First Nations cultures, languages, arts and heritage is central to the UN Declaration. The First Peoples Cultural Council (FPCC) is a First Nations-led Crown corporation with a legislated mandate to support the revitalization of First Nations languages, arts, cultures and heritage in B.C. In 2020-2021, FPCC provided \$20.4 million in grants for First Nations language, arts and cultural heritage revitalization. Investing in First Nations languages and cultures is an important way to address the negative impacts of colonization by rebuilding and transferring cultural systems, skills and knowledge for future generations. FPCC's program participants have reported increased knowledge, skills and confidence. In addition, many participants experience an improvement to overall health and well-being as a result of the healing connections they make through strengthening connections to their cultural practices.

### **FIRST PEOPLES' CULTURAL HERITAGE FUND**

The Province set aside \$5 million to establish its first endowment to fund Indigenous cultural heritage in perpetuity. The endowment will be administered by the First Peoples' Cultural Foundation, an Indigenous-led organization, ensuring the needs of Indigenous communities are considered.

The new endowment, known as the First Peoples' Cultural Heritage Fund, is the first step toward a legacy of First Nations' unique heritage, cultural knowledge and diversity, contributing to Indigenous resurgence and rights.

### **FIRST NATIONS GAMING GRANT**

First Nations communities were hard hit by the pandemic, in addition to successive fires and floods, and have used funding from the long-term gaming agreement to meet their immediate needs, impacting other community priority projects and initiatives.

Gaming revenues dropped approximately 80 percent in 2020 due to the COVID-19 pandemic creating further pressures on First Nations' priorities to fund social services, education, infrastructure, cultural revitalization and self-government capacity using their share of gaming revenues.

IRR proactively arranged for a one-time \$74 million grant to mitigate the loss of First Nations gaming revenues to support the continuation of planned community projects, programs and services, and economic development for First Nations throughout British Columbia.

The Province has made an independent decision to mitigate the significant impacts to this important revenue stream for First Nations and is not required to make this payment under the gaming agreement. The decision to provide the one-time grant ensures First Nations who were among the hardest hit by the pandemic won't be left behind during the recovery, bringing more prosperity to every part of the province.



### **FIRST NATIONS WELL BEING FUND**

The First Nations Well Being Fund assists B.C. First Nations and Tribal Councils to improve well-being within their communities and membership through poverty reduction plans and projects. The fund was created through a \$2.7 million grant from the Ministry of Social Development and Poverty Reduction to FNS and will be administered through the First Nations Public Service Secretariat (FNPSS). In October 2021, sixty-one First Nations received funding with over 75 percent of the project-based grants awarded for local food security and sovereignty initiatives. As part of this grant, FNPSS is also engaging with First Nations to hear their views on how to measure wellness within their own communities.

### **INDIGENOUS TOURISM SECTOR**

The Ministry of Tourism, Arts, Culture and Sport (TACS) has made significant investments toward reconciliation by creating and expanding tourism economic development projects with Indigenous communities and supporting self-determination for Indigenous businesses.

In February 2021, TACS allocated \$5 million in relief funding through Indigenous Tourism BC for 140 Indigenous tourism businesses. In November 2021, this was topped up with an additional \$3 million.

The investment provides direct financial support to Indigenous businesses to support business solvency through periods of low tourism due to pandemic restrictions on travel.

In February 2022, TACS provided \$3.7 million to Indigenous Tourism BC to support further capacity and growth of the Indigenous tourism sector in B.C.

This funding supports the implementation of Indigenous Tourism BC's Indigenous Tourism Alignment Strategy 2021-2024, which will help the Indigenous tourism sector's COVID-19 recovery, new or expanded Indigenous tourism business activities, and engage Indigenous entrepreneurs and communities in planning and development to realize tourism's role in their economic and socio-cultural development.

The funds will be administered by Indigenous Tourism BC through to 2024, and will provide resources to advance economic development through tourism and create plans that guide the recovery of tourism within Indigenous communities.

Pre-pandemic, Indigenous tourism was one of the fastest-growing sectors of the tourism industry. The pandemic has significantly impacted the tourism industry and Indigenous communities experienced particularly severe impacts from the pandemic. Supporting business viability through year two of the pandemic will ensure these important elements of the B.C. tourism experience are retained.





## INDIGENOUS CLEAN ENERGY OPPORTUNITIES ENGAGEMENT

Indigenous Clean Energy Opportunities (ICEO) engagement seeks to promote Indigenous communities' ability to participate fully in current as well as future opportunities within British Columbia's clean energy sector. The ICEO process has involved productive dialogue and collaboration between the Ministry of Energy, Mines and Low Carbon Innovation (EMLI) and First Nations leadership, Nations and organizations. A fundamental goal of the ICEO is to improve economic, environmental, social and cultural outcomes for First Nations Peoples in British Columbia.

In May 2021, Minister Bruce Ralston and the FNLC met and agreed to co-design and co-lead this province-wide process. The FNLC delegated the First Nations Energy Mining Council (FNEMC) to work with EMLI to co-manage the ICEO from a process point of view.

The ICEO was launched in November 2021 and was hosted by FNLC and EMLI with over 116 First Nation participants from approximately 90 communities and organizations across B.C. In March 2022, two workshops were held to hear from rights-holders about which clean energy topics they saw as top priorities for initial discussion under the ICEO. Facilitated by FNEMC, the March workshops were well attended with 52 First Nation representatives and 12 representatives from Indigenous organizations participating.

With a positive and collaborative start, the ICEO initiative is poised to make significant progress in the coming year for the advancement of First Nations Peoples' interests within B.C.'s clean energy sector.

## MÉTIS NATION BRITISH COLUMBIA & B.C. GOVERNMENT LETTER OF INTENT

In November 2021, MNBC and IRR finalized a letter of intent (LOI) that renews a shared commitment to strengthen their relationship and advance reconciliation with Métis people in B.C.

The LOI proposes a new whole of government approach to Métis relations as a partnership between MNBC and the Province that respects Métis self-determination.

*"This letter of intent to pursue a new reconciliation agreement formalizes a shared commitment to embark on a new relationship. We look forward to working closely with the Government of B.C. on a distinctions-based approach to reconciliation that presents a clear path to self-determination. We are committed to closing the gap in the quality of life of Métis people throughout the province."*

.....  
**Lissa Dawn Smith**  
Métis Nation British Columbia



During their work together, MNBC and IRR recognized the opportunity to phase out the previous [\*Métis Nation Relationship Accord II\*](#). Together, they will move toward a reconciliation agreement that is framed within the Declaration Act, the [\*Truth and Reconciliation Commission Calls to Action\*](#), and the [\*National Inquiry into Missing and Murdered Indigenous Women and Girls Calls to Justice\*](#).

MNBC and IRR will together develop and formalize a new working table that will a new collaborative, accountable, cross-government partnership.

### **MUNICIPAL RE-NAMING ENGAGEMENT PROJECT**

Local government names that are associated with Canada's colonial past can be a devastating reminder of the mistreatment of Indigenous Peoples.

In cases where local governments and First Nations want to pursue re-naming, the Ministry of Municipal Affairs will be providing guidance and support.

The City of Powell River and the Tla'amin Nation, as well as the Village of Queen Charlotte, are engaging with area residents to build support for the naming change prior to the local governments seeking a decision from the Province.

The Province has provided both communities with funding to support engagement with residents regarding possible name changes.



## TOXIC DRUG SUPPLY RESPONSE

The impact of the toxic drug crisis disproportionately impacts First Nations people in B.C. It significantly worsened in 2021, with 334 lives lost from toxic drug poisoning between January and December – a 25.6 percent increase in First Nations deaths compared to 2020. First Nations people died at 5.4 times the rate of other B.C. residents in 2021, with First Nations women overrepresented compared to other B.C. women.

The Ministry of Mental Health and Addictions (MHA) supports Indigenous-led approaches to prevention, harm reduction, culturally safe substance use care and treatment services. MHA provided \$4.5 million in 2021-2022 in flexible funding to the First Nations Health Authority (FNHA) to expand initiatives to respond to the toxic drug crisis, including:

- ▶ Provided 16,300 nasal naloxone kits to First Nations communities, particularly in the North.
- ▶ Collaborated on the first Indigenous-specific episodic overdose prevention service in Vancouver.
- ▶ Developed Indigenous peer networks in northern First Nations communities, targeting communities experiencing high rates of drug toxicity death.
- ▶ Implemented Nurse Prescribing for medication-assisted treatment to increase access to evidence-based treatment for opioid use disorder.
- ▶ Supported individuals, families and communities to honour their loved ones lost, remember their stories, encourage conversations, and reduce stigma.

FNHA is an active member of the Joint Steering Committee and the Overdose Emergency Response Centre, which guides the provincial emergency response, embedding FNHA partners into planning and decision-making tables.

While progress is being made, it remains an urgent need to accelerate the response to the crisis, including by increasing the investment in First Nations-led responses, ensuring access to a range of culturally safe supports in rural and remote communities, and significantly expanding province-wide access to safer supply.



# Conclusion

Through the tabling of this annual report, the Province is publicly reporting on the progress of implementing the Declaration Act and advancing reconciliation from April 1, 2021 to March 31, 2022. The report demonstrates the progress the Province has made together with Indigenous Peoples over the last year, including the first steps towards the establishment of the Declaration Act Secretariat, amending existing legislation and introducing new legislation aligned with the UN Declaration, and the release of the first Declaration Act Action Plan. The annual report also includes highlights of key initiatives that contributed to the Province's cross-government reconciliation commitments.

The Province respectfully acknowledges the contributions and commitments of Indigenous Peoples, organizations and governments over the past year to this shared work, particularly in the development of the first Declaration Act Action Plan.





BRITISH  
COLUMBIA