

Declaration on the Rights of Indigenous Peoples Act

THE LEGISLATION

The Government of British Columbia has passed legislation that confirms the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as the framework for reconciliation in B.C.

Implementing the UN Declaration through the new *Declaration on the Rights of Indigenous Peoples Act* will establish a path forward that respects and upholds the human rights of Indigenous peoples while introducing additional transparency and predictability in the work the B.C. government and Indigenous peoples do together.

With the legislation, the B.C. government, Indigenous peoples, businesses and local governments will have additional tools to build effective relationships, clear processes and a robust and sustainable economy together.

The legislation supports transparent, co-operative, staged approaches through which the B.C. government will work collaboratively with Indigenous peoples, and engage with business and local governments, on programs, policies, legislation and decisions affecting Indigenous peoples and their rights. It will help all parties work together to invest in building a stronger B.C., including creating economic opportunities for Indigenous peoples, businesses, communities and families throughout the province.

The provincial government also recognizes that many companies in British Columbia have already embraced the principles of the UN Declaration and have built solid relationships with Indigenous peoples.

The B.C. government is committed to transparency as it moves forward with this work and develops the action plan required under the new legislation.

AGRICULTURE AND RANCHING

The Province is committed to true, lasting reconciliation with Indigenous peoples through the implementation of the UN Declaration. This work will foster increased and lasting certainty on the land base, which will help promote job creation and sustainable economic growth in the agriculture and ranching sectors.

The Ministry of Agriculture supports production, marketing, processing and merchandising of agriculture products and works with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNR) on management, planning and access to Crown land to support the sectors. The two ministries work with operators in the agricultural and ranching sectors and Indigenous peoples to foster relationships based on rights, respect, cooperation and partnership.

Many farmers and ranchers are already committed to aligning their business practices with the UN Declaration, and have found that collaborative relationships with Indigenous neighbours and Indigenous governments are creating improved certainty for investment and operations.

The *Declaration on the Rights of Indigenous Peoples Act* is enabling legislation, and does not explicitly make changes to the regulatory framework or tenure administration for the agricultural and ranching sectors, or how operational decisions are made within the ministries. Any future changes will take time and will be done in collaboration with Indigenous peoples, and will include a role for key stakeholders, including agricultural industry associations.

The implementation of this Act will be a gradual, step-by-step process that puts the B.C. government and Indigenous peoples on a long-term path to work together to advance reconciliation.

Please also see the information sheet for business, investment and financial community.





The Government of B.C., Indigenous peoples, and the agriculture and ranching sectors work together in a number of areas that support the B.C. government's commitment to implement the UN Declaration. Examples of work underway include:

- *Forest and Range Practices Act (FRPA)* – FLNR has worked with Indigenous peoples, businesses and local governments throughout the province to inform amendments to the current FRPA. This work supports reconciliation efforts by emphasizing modernized land use planning, renewing forest and range policies throughout B.C., and improving wildlife management and habitat conservation.
- Agricultural Land Reserve Revitalization – The Minister of Agriculture's nine-member Advisory Committee on the revitalization of the Agricultural Land Reserve included Indigenous representation, and proposed legislative amendments to the *Agricultural Land Commission Act* included in Bill 52 (*Agricultural Land Commission Amendment Act, 2018*) and Bill 15 (*Agricultural Land Commission Amendment Act, 2019*) were informed by input from Indigenous peoples.
- Treaty and Reconciliation Agreements – The B.C. government continues to collaborate with the agriculture and ranching sectors and Indigenous nations to create new opportunities for farmers and ranchers, such as through more flexible, innovative and incremental approaches to treaty negotiations.
- Economic Development and Job creation – The B.C. government has supported business planning and increased capacity with Indigenous nations so they can start agriculture businesses and obtain contract work that supports resilient and healthy forest and rangeland ecosystems.
- Code of Practice for Agricultural Environmental Management (AEM Code) – The Ministry of Environment and Climate Change Strategy has engaged with Indigenous peoples and the agriculture and ranching

sectors throughout the province to inform amendments to the Agricultural Waste Control Regulation which was replaced by the AEM Code on February 28, 2019. This work supports reconciliation efforts by ensuring agricultural practices are consistent with the protection of clean, safe drinking water and clean air. The new code provides clearer, straightforward and environmentally sustainable requirements for the storage and use of manure, other nutrient sources and agricultural material.

- *Water Sustainability Act (WSA)* and livestock watering – the B.C. government continues to engage with Indigenous nations as it contemplates legislative amendments to the WSA. By ensuring Indigenous nations' interests in water quality, quantity, and riparian protection are meaningfully addressed, the B.C. government can develop policy solutions that provide secure access to water for grazing livestock.
- The Ministry of Agriculture is collaboratively developing an Indigenous Advisory Group with a number of Indigenous nations Chiefs and business leaders throughout B.C. to identify challenges and opportunities, and work at a strategic level to implement the UN Declaration.

The *Declaration on the Rights of Indigenous Peoples Act* provides mechanisms for joint and consent-based decision-making. However, legislative amendments will be required to enable such agreements under other statutes. No immediate effect on statutory decision-making is expected.

The commitment to work in partnership with Indigenous peoples is intended to help establish predictable, sustainable and collaborative approaches to the agriculture and ranching sectors including ranching, horticulture and supply management. The B.C. government will continue to work with Indigenous peoples to ensure that their rights and interests are respected in all aspects of the agriculture and ranching sectors.

