

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* (Declaration 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 Province, Indigenous peoples, businesses and local governments will have additional tools to build effective relationships, clear processes and a robust and sustainable economy together.

The Declaration Act 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 Province also recognizes that many companies and local governments 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 collaboration and transparency as it moves forward with implementing this new legislation – this includes ensuring our laws are consistent with the UN Declaration, developing an action plan, and reporting annually on our progress.

LOCAL GOVERNMENT

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 and supports local governments and Indigenous nations working together to continue to strengthen relationships and to collaborate on matters of mutual interest - which will help promote job creation and sustainable economic growth throughout B.C.

The Ministry of Municipal Affairs and Housing (MAH) supports local governments, Indigenous governments, not-for-profit organizations and residents to build vibrant and healthy communities that are well governed, liveable, safe, economically resilient, and socially and environmentally responsible. MAH also aims to help British Columbians to access more affordable, safe and appropriate housing through its policies and programs, technical codes and standards, and services for landlords and tenants.

An important part of this work is helping to foster positive relationships at the local level between local governments and Indigenous nations, to encourage discussion of shared interests and partnerships on social, economic and environmental projects that are important to everyone who lives in the area.

There are many examples of progress being made at the local level towards reconciliation throughout B.C. Every day the list of communication protocol agreements, strategic accords, economic partnerships, shared recreational projects, and education and renaming initiatives continues to grow.

The Province sees great opportunity for advancing reconciliation through these kinds of partnerships. As partners at all levels of government work together on the journey towards true and meaningful reconciliation, it will be a learning process.

The provincial government is committed to finding ways to work together to make life better for people in Indigenous and non-Indigenous communities.





An important part of this work is a memorandum of understanding (MOU) between the Union of BC Municipalities (UBCM) and the Ministry of Indigenous Relations and Reconciliation, supported by MAH, and renewed at the 2018 UBCM Convention. The MOU affirms local government's role in fostering relationships built on honesty, respect and undertaking reconciliation at the community level.

Does the legislation affect the Local Government Act, local government zoning, official community plans, etc.?

Provincial laws will be brought into alignment over time, but there is no immediate effects on the *Local Government Act*.

The Declaration Act is enabling legislation, and does not explicitly make changes to regulatory frameworks, operational decision-making, or consultation requirements.

Future changes will take time and will be done in collaboration with Indigenous peoples. Local governments and key stakeholders, including business, will have a role in this process.

What will it mean for First Nations to have decision-making authority?

The Declaration Act includes the ability for joint decision-making or consent requirement agreements with Indigenous governments, where authorized by statute.

Legislative amendments would be required to enable such joint decision-making power if such mechanisms are not already in place within the other relevant legislation.

Joint decision-making or consent requirement agreements will follow the same principles of administrative fairness and transparency government is held to now.

How is the Province supporting reconciliation at the local level?

The B.C. government, Indigenous governments and local governments work together in several ways to support reconciliation. Examples of work underway include:

- ▶ Indigenous Housing Fund – Recognizing the urgent need for affordable housing, the Province opened all BC Housing funding programs to Indigenous peoples. Through

the Indigenous Housing Fund, the Province invested \$550 million over 10 years for 1,750 new units of social housing for Indigenous peoples, both on- and off-reserve. More than 1,100 homes in 26 communities have been announced to date.

- ▶ Investing in Canada Infrastructure Program – The Province is partnering with the Government of Canada to fund and administer long-term infrastructure programs open to Indigenous communities on-and off-reserve, and other applicants, which help improve the well-being of Indigenous peoples.
- ▶ Community to Community Forum – The Province provides \$50,000 annually for the Regional Community to Community Forum (C2C) program, which helps local governments and Indigenous nations connect. A well-established outcome of the C2C Forum is the development or signing of protocol agreements, memorandums of understanding or accords between neighbouring Indigenous nations and local governments. Over the past 20 years, the Province has funded more than 600 community-to-community events, helping local governments and Indigenous nations develop collaborative relationships.
- ▶ Pathways to Collaboration – A series of short case studies from throughout B.C. showcasing the growing number of successful economic development collaborations and partnerships between Indigenous nations and local governments, highlighting lessons learned and key steps to success. This is a joint initiative of the Union of BC Municipalities, the Province and the First Nations Summit with funding from the Indigenous Business & Investment Council.

All MAH's work intends to encourage positive working partnerships and relationships between Indigenous Peoples and local governments to make life better for everyone in the province.

