

**Ministry of
Indigenous Relations
and Reconciliation**

**2019/20
Annual Service Plan Report**



For more information on the Ministry of Indigenous Relations and Reconciliation contact:

PO BOX 9100
STN PROV GOVT
VICTORIA, BC
V8W 9B1

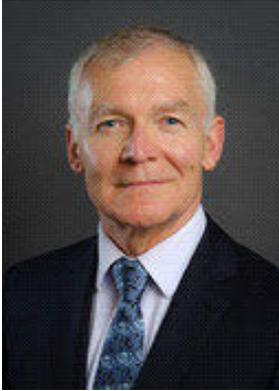
1-800-880-1022

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Published by the Ministry of Indigenous Relations and Reconciliation

Minister's Accountability Statement



The Ministry of Indigenous Relations and Reconciliation *2019/20 Annual Service Plan Report* compares the Ministry's actual results to the expected results identified in the *2019/20 – 2021/22 Service Plan* created in February 2019. I am accountable for those results as reported.

A handwritten signature in black ink, appearing to read 'S. Fraser', written over a light grey rectangular background.

Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation
June 26, 2020

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Letter from the Minister

I would like to open this annual report by acknowledging, with gratitude, that the work of the Ministry of Indigenous Relations and Reconciliation takes place in territories of Indigenous nations across the province. I thank them for sharing these lands and partnering with the Ministry in this work.

The provincial government continues to work in collaboration with Indigenous peoples throughout British Columbia to advance true and lasting reconciliation. This past year our government, together with Indigenous peoples, made history when we unanimously passed legislation to implement the [*United Nations Declaration on the Rights of Indigenous Peoples*](#), becoming the first province in Canada to do so. The [*Declaration on the Rights of Indigenous Peoples Act*](#) establishes a framework for reconciliation in British Columbia and outlines a process by which we will align provincial law with internationally recognized Indigenous human rights.

The Declaration Act is one of many successes achieved by the dedicated public servants in the Ministry – together with Ministry and Indigenous partners – last year. Their efforts also established the [*Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia*](#), a tripartite policy co-developed with the federal government and First Nations that modernizes the treaty-making process in B.C. This new made-in-B.C. policy bases treaties on the recognition of the inherent rights of Indigenous peoples, eliminating the policy of “extinguishment” and instead reflects that Crown-Indigenous treaty relationships should evolve over time.

Working together with the Ministry of Finance, we also took a big step forward on our commitment to work in partnership with First Nations to advance self-determination, with the first-ever transfer of shared gaming revenue. This marked the start of a stable, long-term source of revenue for First Nations that supports self-government, strong, healthy communities and services that make life better for families in Indigenous communities throughout the province.

And once again, the 2019 B.C. Cabinet and First Nations Leaders’ Gathering was the largest-ever event to date with more than 900 delegates attending.

Reconciliation remains a whole-of-government commitment. The historic accomplishments realized this past year equip the public service with a new set of tools that will build on our successes and guide us in our work towards a more prosperous future for all British Columbians. I am grateful to the passionate and hard-working employees in the Ministry for their extraordinary efforts in the last year.



Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation
June 26, 2020

Purpose of the Annual Service Plan Report

The Annual Service Plan Report is designed to meet the requirements of the [Budget Transparency and Accountability Act](#) (BTAA), which sets out the legislative framework for planning, reporting and accountability for Government organizations. Under the BTAA, the Minister is required to report on the actual results of the Ministry's performance related to the forecasted targets documented in the previous year's Service Plan.

Purpose of the Ministry

The Ministry of Indigenous Relations and Reconciliation guides and supports the Province of British Columbia's efforts to achieve true and lasting reconciliation with Indigenous peoples¹ through implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), the [Truth and Reconciliation Commission \(TRC\) of Canada: Calls to Action](#) and the Tsilhqot'in Supreme Court Decision.

The B.C. Government collaborates with Indigenous peoples to advance reconciliation commitments, with a focus on deepening relationships with Indigenous communities and leaders, and integrating Indigenous knowledge and perspectives to help improve social and economic outcomes for Indigenous peoples and all British Columbians.

The Ministry works towards reconciliation with Indigenous peoples in B.C. by collaboratively developing policy and practices in areas of shared interest, and by negotiating and implementing agreements, partnerships, and treaties. The Ministry is making substantive improvements on its approach to this work by focusing on building lasting relationships with Indigenous peoples rather than taking a transactional approach; working toward flexible agreements that can evolve over time; and working in partnership on approaches to policy-making. These improvements support self-determination, increase collaboration on decision-making and promote better engagement with Indigenous communities, treaty partners, and both federal and municipal governments.

The B.C. government's promise to achieve its reconciliation commitments in a manner that is both transformative and collaborative calls for Indigenous peoples to be deeply and directly involved². The Ministry is committed to significant levels of engagement with Indigenous governments, Indigenous communities³, organizations, federal, municipal and treaty partners, stakeholders and the public to ensure the success of this work.

¹ The term "Indigenous" used throughout this document is intended to be inclusive of all peoples of Indigenous ancestry, including First Nations (status and non-status), Métis and Inuit.

² Changing the relationships between Indigenous communities and government helps challenge long-standing systemic paternalism and racism and builds understanding and insight into the histories and legacies of Canada's mistreatment of Indigenous peoples and thereby informing the changes necessary to address them.

³ The term "communities" means the diversity of Indigenous communities as defined by Indigenous peoples. The Ministry of Indigenous Relations and Reconciliation works with all Indigenous peoples wherever they may live in British Columbia.

Reconciliation is a responsibility across every government ministry, with the Ministry of Indigenous Relations and Reconciliation providing guidance and leadership to other areas of government on establishing and enhancing relationships with Indigenous peoples.

The Ministry is also responsible for both the Minister's Advisory Council on Indigenous Women, which provides advice to government on how to improve the quality of life for Indigenous women in B.C., as well as the First Peoples' Cultural Council (FPCC). FPCC is a provincial Crown corporation formed by the Government of British Columbia in 1990 to administer the First Peoples' Heritage, Language and Culture Program.

Strategic Direction

The strategic direction set by Government in 2017 and expanded upon in Minister Scott Fraser's [Mandate Letter](#) shaped the [2019/20 Indigenous Relations and Reconciliation Service Plan](#) and the results reported in this Annual Report.

Operating Environment

Strengthening relationships with Indigenous peoples in B.C. and advancing reconciliation benefits all British Columbians. In these efforts, the B.C. Government is guided by:

- The Declaration on the Rights of Indigenous Peoples Act (The Declaration Act), committing the provincial government, in consultation and cooperation with Indigenous peoples, to establish a process that brings B.C. laws in line with the UN Declaration.
- the UN Declaration, which was ratified by the United Nations in 2007 and contains 46 articles that speak to the individual and collective inherent human rights of Indigenous peoples;
- the TRC of Canada's 94 Calls to Action, released in 2015 to redress the legacy of residential schools and advance the process of reconciliation;
- relevant case law, including the landmark 2014 decision by the Supreme Court of Canada which granted a declaration of Aboriginal title to a portion of Tsilhqot'in territory - the first time the courts have granted a declaration of Aboriginal title in Canada; and
- the [Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples](#) (10 Draft Principles), guiding B.C. public servants in their relationship with Indigenous peoples.

The Ministry's reconciliation work is centered on respectful and collaborative relationships with Indigenous partners that recognizes the value of Indigenous perspectives and contributions to our shared goals and priorities.

Through training initiatives and providing staff with the necessary resources, the Ministry facilitates use of the analytical tool of Gender-based Analysis Plus (GBA+) to better understand how various identities, including Indigenous peoples, experience Ministry policies, programs and initiatives. This enables ministry staff to better reflect the various perspectives and socio-cultural realities of all people living in British Columbians in its work through equitable and accessible

policy-making. In applying GBA+, the Ministry aims to build trusting relationships, advance self-determination, nation-building and lasting reconciliation.

Report on Performance: Goals, Objectives, Measures and Targets

Goal 1: Advance equality of social and economic outcomes between Indigenous peoples and other British Columbians.

Objective 1.1: Partner with Indigenous governments, communities and organizations, other ministries, stakeholders and other orders of government on shared measures that improve the quality of life of Indigenous peoples.

Key Highlights

- Established an agreement with the B.C. Assembly of First Nations to provide \$2.24-million to support the Sustainable Economic Development and Fiscal Relations Strategy to move forward on initiatives that focus on: economic reconciliation and governance; engagement and collaboration with the Province and industry; tools and data that support First Nations business leaders; and the development of a First Nations economic development secretariat.
- Supported the design and delivery of key engagements, including the CleanBC Forum for Indigenous Communities and a full-day workshop with the Alliance of B.C. Modern Treaty Nations, to advance Indigenous economic development opportunities in alignment with CleanBC objectives.
- Collaborated with provincial government ministries, Indigenous partners and stakeholders to develop sector-specific factsheets following the release of the Declaration Act, enhancing international and domestic investor confidence and increasing the profile of working with Indigenous communities as a fundamental part of doing business in B.C.
- Supported the Ministry of Public Safety and Solicitor General in delivering engagement sessions with Indigenous leadership and communities to inform strategies and initiatives that address systemic causes of violence against Indigenous women and girls in B.C.
- Partnered with the Ministry of Public Safety and Solicitor General to deliver grants in support of development and delivery of 48 unique community-driven projects throughout B.C. that support, teach and celebrate Indigenous women through traditional activities and community workshops to end gender-based violence.
- Continued to collaboratively engage with Indigenous governments to advance community-based well-being initiatives and reconciliation approaches that reflect the principles of the UN Declaration.

Performance Measure(s)	2018/19 Baseline	2019/20 Target	2019/20 Actuals	2020/21 Target	2021/22 Target
[1.1] Cumulative number of community ¹ well-being initiatives ²	12	16	16	20	24

Data Source: Ministry of Indigenous Relations and Reconciliation

¹The term *community* is inclusive of all First Nations, Métis and urban Indigenous communities

Discussion of Results

Community well-being initiatives are community-based, socio-cultural reconciliation processes where Indigenous communities and the B.C. government work in partnership to identify priorities and implementation measures to advance self-determining, thriving Indigenous communities. These partnership models take a comprehensive, holistic approach to investments in Indigenous communities to integrate social and economic priorities.

The Ministry achieved its target for the reporting period, having successfully collaborated with Indigenous communities across the province to establish four additional community well-being initiatives to bring the cumulative total to sixteen.

Goal 1: Advance equality of social and economic outcomes between Indigenous peoples and other British Columbians.

Objective 1.2: Increase opportunities to support Indigenous communities in governance building and to build associated capacity, funding sources and accountability.

Key Highlights

- Finalized an interim agreement and transferred approximately \$195-million in provincial gaming revenue to the [B.C. First Nations Gaming Revenue-sharing Limited Partnership](#), representing the first two years of stable, long-term funding for eligible First Nations communities in B.C. that will support community priorities through increased governance capacity and strengthened program and service delivery.
- Collaborated with First Nations across the province to turn 12 new revenue-sharing opportunities into specific agreements, including supporting the advancement of [CleanBC](#) objectives through collaboration on [First Nations Clean Energy Business Fund Revenue Sharing Agreements](#).

Discussion of Results

Revenue-sharing is an important reconciliation tool that supports implementation of the UN Declaration by providing funding that strengthens capacity, promotes self-determination, and supports economic, social and community priorities. In addition to sharing provincial gaming revenue to support stable, long-term funding for eligible First Nations in B.C., the Ministry also continues to work closely with First Nations communities around the province to develop revenue-sharing agreements through collaboration on resource and economic development.

During the reporting period, the Ministry committed to identifying a performance measure that would indicate progress towards achieving the objective. The current [Ministry of Indigenous Relations and Reconciliation's Service Plan](#) has aligned an established performance measure with this objective: *Number of new opportunities for First Nations to participate in revenue-sharing*. This measure includes new revenue-sharing opportunities negotiated into specific agreements during the reporting period.

The Ministry set a target to achieve four new revenue-sharing opportunities and has since exceeded this target, having collaborated on twelve new revenue-sharing opportunities with First Nations communities, in addition to the Provincial Gaming Revenue-Sharing Agreement. Actuals for this year exceeded the targeted amount as the Ministry now includes revenue-sharing agreements established through the [First Nations Clean Energy Business Fund](#) in reported totals. Future targeting will account for this inclusion and will be reported on accordingly.

Goal 2: Work in partnership to achieve true and lasting reconciliation with Indigenous peoples.

Objective 2.1: Implement the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission of Canada’s Calls to Action, and the Tsilhqot’in Supreme Court decision.

Key Highlights

- Established the UN Declaration as the foundational framework for reconciliation in British Columbia through the passage of the [Declaration on the Rights of Indigenous Peoples Act](#).
- Continued to lead cross-government implementation of the 10 Draft Principles.

Performance Measure(s)	2018/19 Forecast	2019/20 Target	2019/20 Actuals	2020/21 Target	2021/22 Target
[2.1] Legislation related to the Declaration introduced by the fall of 2019.	-	1	1	-	-

Data Source: Ministry of Indigenous Relations and Reconciliation

Discussion of Results

In 2017, every minister in the provincial government was mandated to implement the UN Declaration and the Calls to Action of the Truth and Reconciliation Commission of Canada. To advance this mandate, the B.C. Government and the First Nations Leadership Council (BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs) jointly committed to achieve Goal 1, Action 1 in the [Concrete Actions](#) document and guide reconciliation efforts through co-development of legislation to establish the UN Declaration as the framework for reconciliation in British Columbia. On November 28th, 2019, the Declaration on the Rights of Indigenous Peoples Act received royal assent, making B.C. the first government in Canada, and one of the first in the world, to pass such law.

The Declaration Act commits government, in partnership with Indigenous peoples, to bring provincial laws into alignment with the UN Declaration, to develop an action plan to meet the objectives of the UN Declaration and deliver annual public reporting to monitor progress and ensure accountability. This legislation also provides new mechanisms and tools that enable government to collaboratively transform structures and processes so that they are inclusive and respectful of Indigenous human rights.

Through the Declaration Act, the B.C. government will work together with Indigenous peoples in new ways that will create better outcomes through increased certainty and predictability in decision-making and growing our shared economy.

Through this partnership with the First Nations Leadership Council, the Ministry was successful in achieving the target through the development and passing of the Declaration Act during the reporting period.

Goal 2: Work in partnership to achieve true and lasting reconciliation with Indigenous peoples.

Objective 2.2: Negotiate and implement comprehensive and lasting reconciliation agreements with Indigenous peoples.

Key Highlights

- Partnered with Indigenous leadership and the federal government to develop the [Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia](#) to modernize treaty-making in B.C., with a focus on lasting government-to-government relationships that recognize the inherent rights of Indigenous peoples, and can grow and change over time.
- Facilitated engagement between the Ministry of Forests, Lands, Natural Resource Operations and Rural Development and Indigenous governments to modernize [Land Use Planning](#) in B.C. through ongoing efforts to develop a shared vision to guide the stewardship of public land and resources in a way that reflects the diverse values and interests of all British Columbians.
- Partnered with the T̓silhqot̓in National Government and Canada to advance implementation of the *T̓silhqot̓in Supreme Court Decision* and enhance T̓silhqot̓in self-determination through signing the first-ever tripartite reconciliation agreement of its kind in British Columbia, the [Gwets̓'en Nilt̓'i Pathway Agreement](#).
- In partnership with the federal government and First Nations around the province, advanced treaty negotiations and developed other constructive agreements that lay a path forward for reconciliation in B.C. including such agreements as the [Agreement-in-Principle](#) with Ditidaht and Pacheedaht First Nations and the [Pathway Forward 2.0](#) agreement with the Carrier Sekani First Nations, representing significant milestones in treaty-making.

Performance Measure(s)	2018/19 Baseline	2019/20 Target	2019/20 Actuals	2020/21 Target	2021/22 Target
[2.2] Number of agreements demonstrating transformed approach to treaty-making and other constructive arrangements ¹	5	7	7	9	11

Data source: Ministry of Indigenous Relations and Reconciliation

Discussion of Results

Supporting achievement of the performance measure, the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia enables flexible, innovative and collaborative approaches to the negotiation of treaties, agreements and other constructive arrangements in British Columbia. A transformed approach to treaty-making includes incremental agreements that support the negotiated reconciliation of Aboriginal rights and title interests, whether inside or outside the formal BC Treaty Commission process. These agreements include: final agreement, agreement-in-principle, incremental treaty agreement, core treaty agreement, Stage 5 agreement or other constructive arrangements that seek to reconcile Aboriginal rights and title interests.

The Ministry achieved its target for the reporting period, having successfully collaborated with Indigenous communities across the province to establish additional agreements that demonstrate a transformed approach to treaty-making and other constructive arrangements, bringing the total to seven for the reporting period.

Goal 2: Work in partnership to achieve true and lasting reconciliation with Indigenous peoples.

Objective 2.3: Increase British Columbians' understanding of the benefits of reconciliation.

Key Highlights

- Designed and delivered a series of engagements with stakeholders and members of the public to assess overall awareness surrounding reconciliation in the province in order to determine gaps that can be addressed through future communications activities, public education initiatives, and other outreach strategies.
- Designed and delivered a series of engagements with Indigenous peoples and key stakeholders across the province on the Declaration Act, as well as continued to support engagement activities to support development of treaties and other constructive arrangements.
- Partnered with the Union of B.C. Municipalities to co-develop the [Urban Communities Partnering for Reconciliation program](#), enabling local governments, urban Indigenous and Métis communities, and members of the public to engage and work together on reconciliation initiatives.
- Consulted with the federal government to explore opportunities for collaboration on public education around reconciliation.

Discussion of Results

Furthering objectives jointly identified with the First Nations Leadership Council in the [Shared Vision](#) and [Concrete Actions](#) documents, and supported by Concrete Action 6: Reconciliation in B.C., the Ministry delivered engagement, outreach and communications activities prior to and following the introduction and passage of the Declaration Act. Through this work, the Ministry

provided clear information for British Columbians surrounding reconciliation efforts with a goal to increase awareness and reduce uncertainty about the legislation itself and future reconciliation efforts.

As committed to in the previous year, the [2020/21 Ministry of Indigenous Relations and Reconciliation Service Plan](#) includes a newly developed measure under this objective:

Percentage increase over baseline awareness of reconciliation among British Columbians. The Ministry is working to establish baseline metrics indicating current awareness, in order to assist in the development of strategies that will increase overall awareness and, in turn, support work by all partners involved to build a shared understanding of ongoing reconciliation efforts. Outcomes related to this measure will be reported on in future reporting periods.

Financial Report

Financial Summary

	Estimated	Other Authorizations ¹	Total Estimated	Actual	Variance
Operating Expenses (\$000)					
Negotiations & Regional Operations Division	13,438	133,084	146,522	147,954	1,432
Strategic Partnerships & Initiatives Division	23,377	2,423	25,800	20,749	(5,051)
Reconciliation Transformation & Strategies Division	1,952	0,000	1,952	2,345	393
Executive & Support Services	9,396	0,000	9,396	12,622	3,226
Treaty & Other Agreements Funding	49,729	109,205	158,934	158,934	0,000
First Citizens Fund	2,000	0,000	2,000	2,000	0,000
First Nations Clean Energy Business Fund	7,889	287	8,176	8,176	0,000
Sub-total	107,781	244,999	352,780	352,780	0,000
Adjustment of Prior Year Accrual ²	0,000	0,000	0,000	(1,416)	0,000
Total	107,781	244,999	352,780	351,364	(1,416)
Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000)					
Negotiations & Regional Operations	3,901	6,078	9,979	6,078	(3,901)
Total	3,901	6,078	9,979	6,078	(3,901)

¹ "Other Authorizations" include Supplementary Estimates, Statutory Appropriations and Contingencies. Amounts in this column are not related to the "estimated amount" under sections 5(1) and 6(1) of the *Balanced Budget and Ministerial Accountability Act* for ministerial accountability for operating expenses under the Act.

² The Adjustment of Prior Year Accrual of \$1,416 million is a reversal of accruals in the previous year.

Appendix A: Agencies, Boards, Commissions and Tribunals

As of June 26, 2020, the Minister of Indigenous Relations and Reconciliation is responsible and accountable for the following:

[BC Treaty Commission⁴](#)

The BC Treaty Commission is an independent body responsible for facilitating treaty negotiations among First Nations and the governments of Canada and British Columbia.

[First Peoples' Cultural Council](#)

The First Peoples' Cultural Council is a First Nation-run Crown corporation that supports the revitalization of Indigenous languages, arts, culture and heritage in British Columbia.

[Haida Gwaii Management Council⁵](#)

The Haida Gwaii Management Council is a strategic-level joint decision-making body for land and natural resource decisions on Haida Gwaii, as set out in the [Kunst'aa guu – Kunst'aayah Reconciliation Protocol](#).

[Minister's Advisory Council on Indigenous Women](#)

The Minister's Advisory Council on Indigenous Women provides advice to the Government of British Columbia on how to improve the quality of life of Indigenous women across B.C.

⁴ With reference to the BC Treaty Commission, responsibility and accountability is limited and defined through [the Treaty Commission Act](#).

⁵ With reference to the Haida Gwaii Management Council, responsibility and accountability is limited and defined through the [Kunst'aa guu – Kunst'aayah Reconciliation Protocol](#).