

**DECLARATION & PROTOCOL of
RECOGNITION, SUPPORT, COOPERATION
AND COORDINATION**

Between

**THE FIRST NATIONS LEADERSHIP COUNCIL
(FIRST NATIONS SUMMIT, UNION OF BC INDIAN CHIEFS, BC ASSEMBLY OF FIRST
NATIONS)**

And

**THE B.C. FIRST NATIONS FISHERIES SOCIETY
(OPERATING AS THE FIRST NATIONS FISHERIES COUNCIL)**

DECLARATION

As the original and Indigenous Peoples to this great land, we have the inalienable right of self-determination. By virtue of this right, we are free to determine our political status and free to pursue our economic, social, health and well-being, and cultural development.

We recognize and affirm that we continue to exist and live as the original and Indigenous Peoples and that this is a fundamental human right.

We recognize and affirm the continued existence of the Indigenous and Aboriginal title and rights of our respective First Nations and their people to their traditional territories, lands and resources, and that we continue to exercise our collective and inherent authorities and jurisdictions over and in the territories, lands and resources which we have traditionally occupied, used or otherwise acquired.

We recognize and affirm that, as the original and Indigenous Peoples, we have the right to redress by means of restitution or, where this is not possible, of just, fair and equitable compensation for the territories, lands and resources which we have traditionally owned or otherwise occupied or used and which have been confiscated, taken, occupied, used or damaged without our free, prior and informed consent.

We have been involved in and support:

- The development and adoption of the United Nations Declaration on the Rights of Indigenous Peoples,
- The development of the Declaration of the II Summit of the Indigenous Peoples of the Americas,
- The New Relationship with the Province of British Columbia, and
- The Transformative Change Accord with the Governments of British Columbia and Canada

Therefore we agree to coordinate our political and technical strengths and efforts toward the objectives of:

- Advancing the full and proper implementation, recognition, reconciliation and accommodation of Aboriginal title and rights, and treaty rights,

- Improving the lives and socio-economic circumstances of First Nations people and communities in British Columbia,
- Ending the denial by the Crown, as represented by the Governments of British Columbia and Canada, of the existence of our Peoples and our Aboriginal title and rights to our traditional territories, lands and resources.

PROTOCOL

Recognizing:

- We agree that First Nations and Aboriginal organizations with mandates in BC must coordinate their political and technical strengths toward the objectives of the above *Declaration* and advancing Aboriginal title and rights, and treaty rights, and improving the socio-economic conditions of First Nations people and communities in British Columbia. We wish to unite and cooperate in their efforts to advance these objectives.
- The First Nations Leadership Council has undertaken an ongoing formal political process to work cooperatively together to politically advance and support the interests and initiatives of all First Nations, First Nations people and First Nations communities in British Columbia, as set out in the *Leadership Accord* signed on March 17, 2005.
- The First Nations Fisheries Council has a mandate to work with, and on behalf of British Columbia First Nations to: advance and protect First Nations title and rights related to fisheries and aquatic resources, including priority access for food, cultural and economic purposes; support First Nations to build and maintain capacity related to fishing, planning, policy, management and decision-making at a variety of scales (local, regional, national and international); and facilitate discussions related to the development of a British Columbia-wide First Nations-based collaborative management framework that recognizes and respects First Nations jurisdiction, management authority and responsibilities. The First Nations Fisheries Council supports the mandate of the First Nations Leadership Council in accordance with the structure, mandate and function of the First Nations Fisheries Council.
- The First Nations Leadership Council has:
 - developed, with the Province of British Columbia, a vision for a new government-to-government relationship between First Nations Governments and the BC Government based on respect, recognition and accommodation of Aboriginal title and rights (the “*New Relationship*”), and
 - signed a *Transformative Change Accord* with the Province of British Columbia and the Government of Canada, and
 - been involved in, and supports, the *United Nations Declaration on the Rights of Indigenous Peoples*, which commit the First Nations Leadership Council and the provincial and federal governments to work together to improve the socio-economic conditions of First Nations in BC, and to advance recognition and reconciliation of pre-existing Aboriginal title and rights with the assertion of Crown sovereignty.
- Cooperative efforts to advance the *New Relationship* and the *Transformative Change Accord* are ongoing.
- Each of us has an important role to play in advancing these and other initiatives to

improve the lives of First Nations people in British Columbia.

We agree as follows:

Purpose

We recognize and affirm that First Nations Peoples continue to exist in British Columbia and Canada and have traditional ownership over and in their territories, lands and resources and continue to exercise their authority in and over their territories, lands and resources.

We recognize and affirm the Aboriginal title and rights, and any treaty rights of First Nations in British Columbia, including their autonomy, jurisdiction and authority with respect to their traditional territories and, within this context, the purposes of this Protocol are to:

- a. affirm our intentions to work together in a cooperative manner, and to provide support for one another's efforts, advance the recognition, respect and accommodation of Aboriginal title and rights, and treaty rights, to improve the lives of First Nations people in British Columbia, and to support First Nations in their efforts,
- b. establish a mechanism by which we can:
 - i. identify areas where we can work together within our respective mandates, to advance the *New Relationship*, the *Transformative Change Accord*, and any other initiatives or processes aimed at improving the conditions of First Nations communities, and
 - ii. identify how we will communicate, exchange information, effectively organize activities, and streamline their efforts.
- c. any other purpose we identify and agree to.

This Protocol is only for communications and political advocacy for the protection of Aboriginal title and rights and is not a process to support the funding requirements of any First Nation organizations.

Principles

We agree that the implementation of this Protocol will be guided by the following principles:

- a. respect for and recognition of the Aboriginal title and rights, and treaty rights, of First Nations,
- b. respect for and recognition that Indigenous Peoples have the right of self-determination and, by virtue of that right, they freely determine their political status and freely pursue their economic, social, health and well-being, and cultural development;
- c. respect and recognition of and respect for our respective mandates;
- d. respect for existing agreements outside of this Protocol we may have in place; and,
- e. recognition that cooperation requires an effective communication process between us.

We recognize that other First Nations and Aboriginal organizations have mandates and a role to play with respect to advancing the objectives of this Protocol and that our coordination of efforts and cooperation with each other and with other First Nations and Aboriginal organizations, will better maximize benefits to First Nations in British Columbia and, so, we will:

- a. seek opportunities and endeavor to work with other organizations, and
- b. encourage other organizations to coordinate their efforts with us and with one another,

to advance the objectives set out in this Protocol.

Cooperation

We commit to engage in an ongoing, cooperative dialogue to achieve the purposes of this Protocol.

We commit to participate in bi-annual assemblies of the First Nations Leadership Council and all organizations that enter into a Protocol with the First Nations Leadership Council, to be hosted by the First Nations Leadership Council.

We commit to participate in regular meetings (i.e. quarterly) of the Executive Directors (or their equivalent) and policy staff of all organizations that enter into a Protocol with the First Nations Leadership Council.

The First Nations Fisheries Council commits to provide to the First Nations Leadership Council quarterly written reports on their successes, progress, barriers or issues in order to increase understanding and awareness of issues and to identify opportunities for support and coordination.

We commit to ongoing support for the *Transformative Change Accord*, the ongoing *New Relationship* process, and other initiatives aimed at addressing the needs of First Nations.

We may develop strategies or work plans, and/ or establish joint working groups/ committees, including Terms of Reference on issues of common concern or priority to advance the purposes of this Protocol.

General

We may amend this Protocol from time to time by our agreement in writing.

This Protocol does not create any financial obligations on either of us.

This Protocol does not limit or affect the mandate or the ability of any member organization of the First Nations Leadership Council to pursue their respective political mandates.

This Protocol will continue until such time as we agree it is no longer required.

Signed this ___ day of _____, 2011

FIRST NATIONS LEADERSHIP COUNCIL

*On behalf of the FIRST NATIONS SUMMIT
On behalf of the UNION OF BC INDIAN CHIEFS
On behalf of the BC ASSEMBLY OF FIRST NATIONS*

FIRST NATIONS FISHERIES COUNCIL

PROCEDURAL APPENDIX

The purpose of the Procedural Appendix is to outline specific elements in addition to the aforementioned Protocol and Declaration.

In addition to the areas outlined in the Protocol and Declaration, we commit to work together and provide mutual support and cooperation at political and technical levels for the purposes of this Protocol, and processes will include, but are not limited to:

- a) Meetings:
 - i. Annual meetings, at a minimum, between the First Nations Leadership Council and the First Nations Fisheries Council at the political level;
 - ii. The First Nations Fisheries Council will provide reports and critical updates at assemblies of the BC Assembly of First Nations, First Nations Summit, and the Union of BC Indian Chiefs, and other public meetings as necessary;
 - iii. The First Nations Leadership Council will attend assemblies of the First Nations Fisheries Council and other public meetings as invited by the First Nations Fisheries Council, to provide support and critical updates as necessary and within capacity.

- b) Advocacy:
 - i. The First Nations Fisheries Council will provide technical support as requested and within existing capacity, when First Nations Leadership Council members are engaged in sectoral advocacy on behalf of Nations.
 - ii. The First Nations Fisheries Council will identify as necessary, sectoral regional, provincial and national matters that impact Aboriginal title and rights and treaty rights, in order to highlight issues that need to be addressed with political advocacy by the First Nations Leadership Council.

- c) Communications and Information-Sharing:
 - i. At the request of the First Nations Leadership Council, within existing capacity, the First Nations Fisheries Council will conduct research, analysis and options for consideration on sectoral issues, including federal and provincial policy and legislative initiatives;
 - ii. In addition to existing respective communications mechanisms, the First Nations Fisheries Council will provide regular communications to Nations on progress in addressing priority sectoral issues through including but not limited to First Nations Leadership Council information bulletins.
 - iii. The First Nations Fisheries Council and the First Nations Leadership Council will engage in regular and ongoing communication and information-sharing, including providing copies of relevant correspondences and other sectoral political and technical materials to each other.