

State of BC First Nations in Forestry

UNDRIP: Implementation in BC's forest sector

NAFA National Summit



**B.C. FIRST NATIONS
FORESTRY COUNCIL**



**Ministry of
Forests**

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Overview

- The BC First Nations Forestry Council (FNFC) and the Ministry of Forests have a long standing relationship that has developed over the years and has grown into what we see today.
- The *Declaration on the Rights of Indigenous Peoples Act* provides a strong foundation for the work we do together and with BC First Nations.



Draft FNFC First Nations Forest Strategy

- Informed through engagement with First Nations in 2015, 2017 and 2018.
- Includes 6 goals focused on increasing First Nations participation in the governance and stewardship of forest lands and resources.

1 SHARED GOVERNANCE.
Recognize First Nations governments as decision-makers and stewards of forest lands and resources, grounded in the principles of UNDRIP.



#ItsTime

2 REVENUE SHARING.
Develop a revenue sharing model that meaningfully shares revenues derived from forest lands and resources with First Nations.



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3 LEGISLATIVE REFORM.
Engage First Nations meaningfully in the development of legislation, regulations, and policies - including *The Forest Act* & the *Forest & Range Practices Act*.



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4 TENURE REFORM.
Assist First Nations in becoming full partners through changes to the tenure system.



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5 STEWARDSHIP.
Pursue collaborative land use planning and stewardship processes as partnerships between First Nations and the Province to establish management objectives and priorities for their territories.



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6 FIRST NATIONS WORKFORCE.
Maximize First Nations participation in the forest sector through the implementation of the BC First Nations Forestry Workforce Strategy.



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How we got here- The Road to DRIPA

- 2004 • Haida Decision – defining obligation to consult and accommodate First Nations, where land base activities impact rights and title.
- 2005 • The Province and the First Nations Leadership Council develop the New Relationship Action Plan.
- 2010 • The Province releases the Draft 10 Principles that Guide the Province’s Relationship with Indigenous Peoples.
- 2014 • The Supreme Court of Canada grants Aboriginal Title to the Tsilqhot’in Nation, the first designation of title outside federal reserve lands.
- 2019 • Draft BC First Nations Forest Strategy released.
- 2019 • *Declaration on the Rights of Indigenous Peoples Act* enacted.



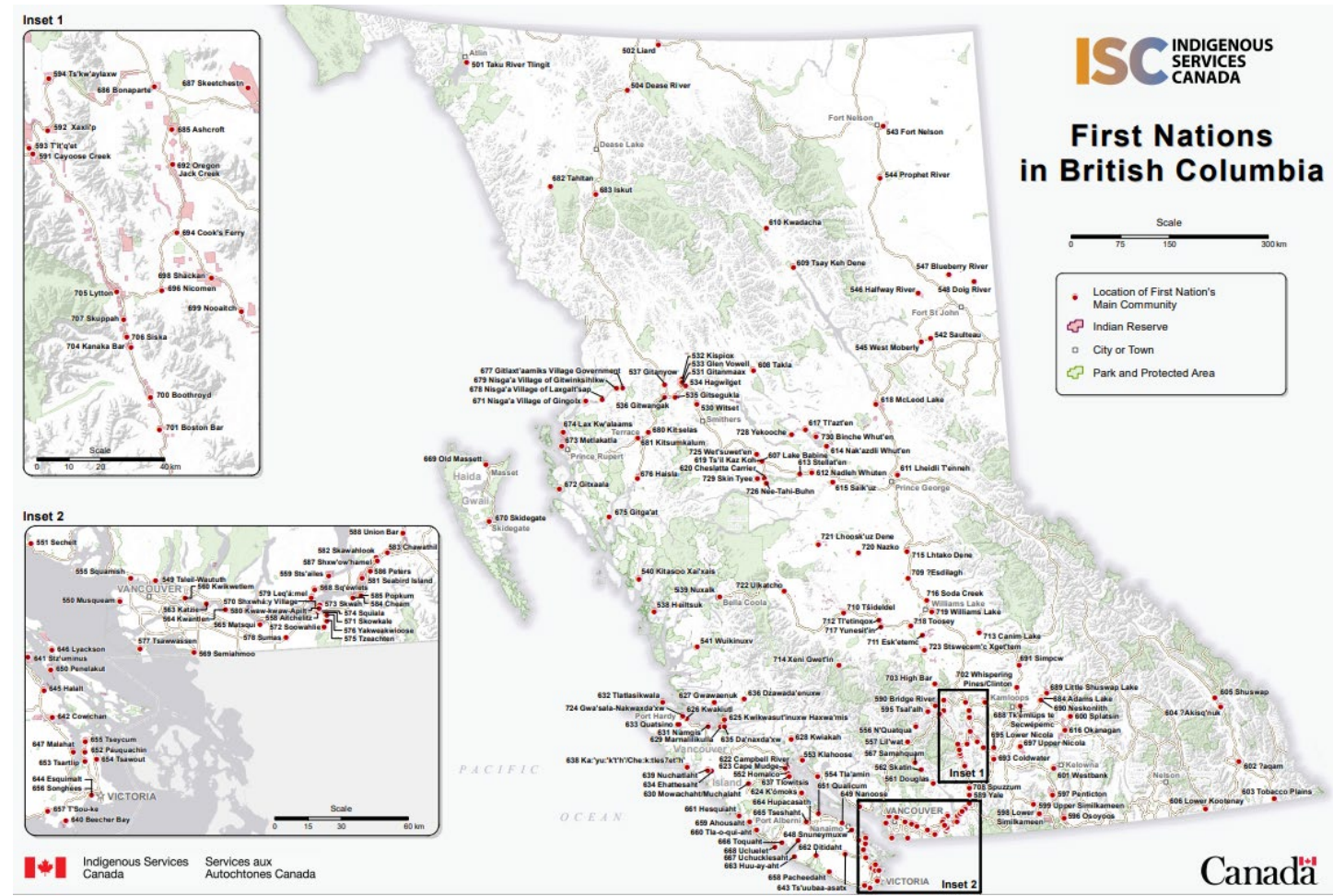
Declaration on the Rights of Indigenous Peoples Act

- The Province of British Columbia unanimously passed the [Declaration on the Rights of Indigenous Peoples Act](#) ([Declaration Act](#)) into law in November 2019.
- The Declaration Act establishes the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as BC's framework for reconciliation.
- Key Elements:
 - Section 3 - Alignment of Laws
 - Section 4 - Action Plan
 - Section 6/7 - Decision Making



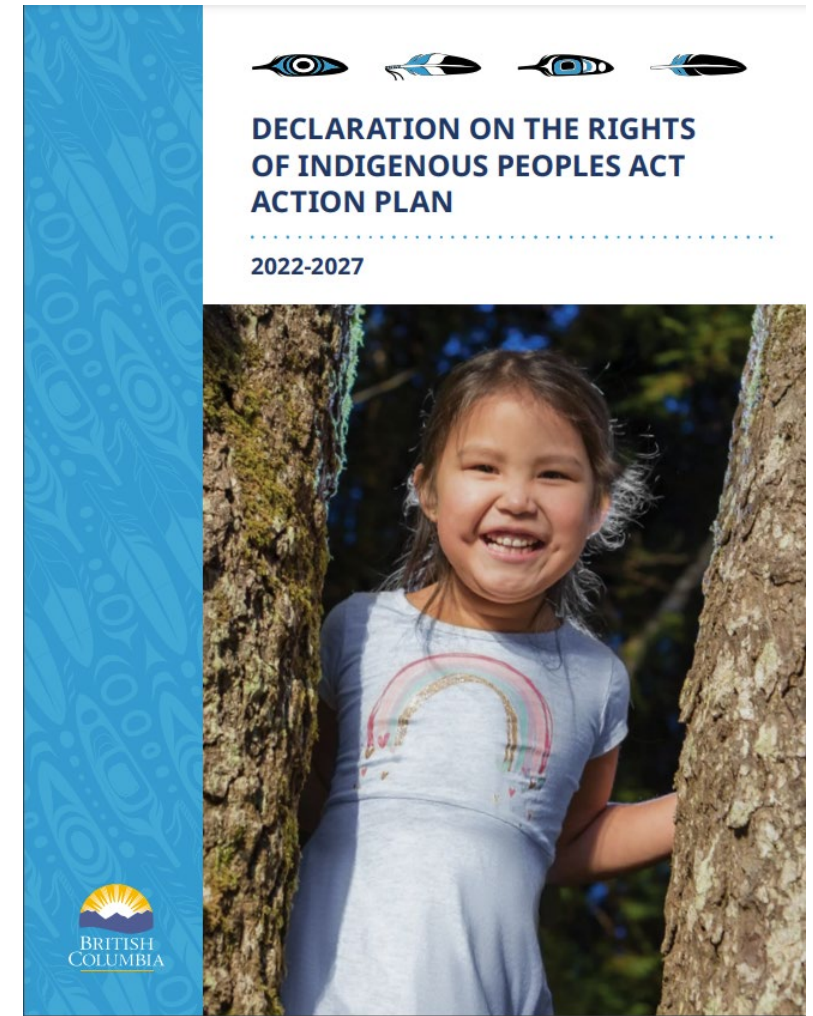
Distinctions-Based Approach

- BC is committed to implementing the Declaration Act through a 'distinctions-based approach' that acknowledges the unique cultures, histories, rights, laws, and governments of Indigenous Peoples.
- There are 200+ distinct First Nations across British Columbia, including 8 Modern Treaty Nations.



Alignment of Laws & the Action Plan

- Section 3 requires that the Province “*in consultation and cooperation with Indigenous Peoples*” take “*all measures necessary*” to ensure consistency between the laws of British Columbia and UNDRIP.
- In 2022, the Declaration Act Secretariat was created to coordinate and assist in this cross-government work.
- In March 2022, the Province released the first Declaration Act Action Plan, outlining 89 actions to be undertaken, in consultation and cooperation with Indigenous Peoples, to implement the Declaration Act over the next 5 years.

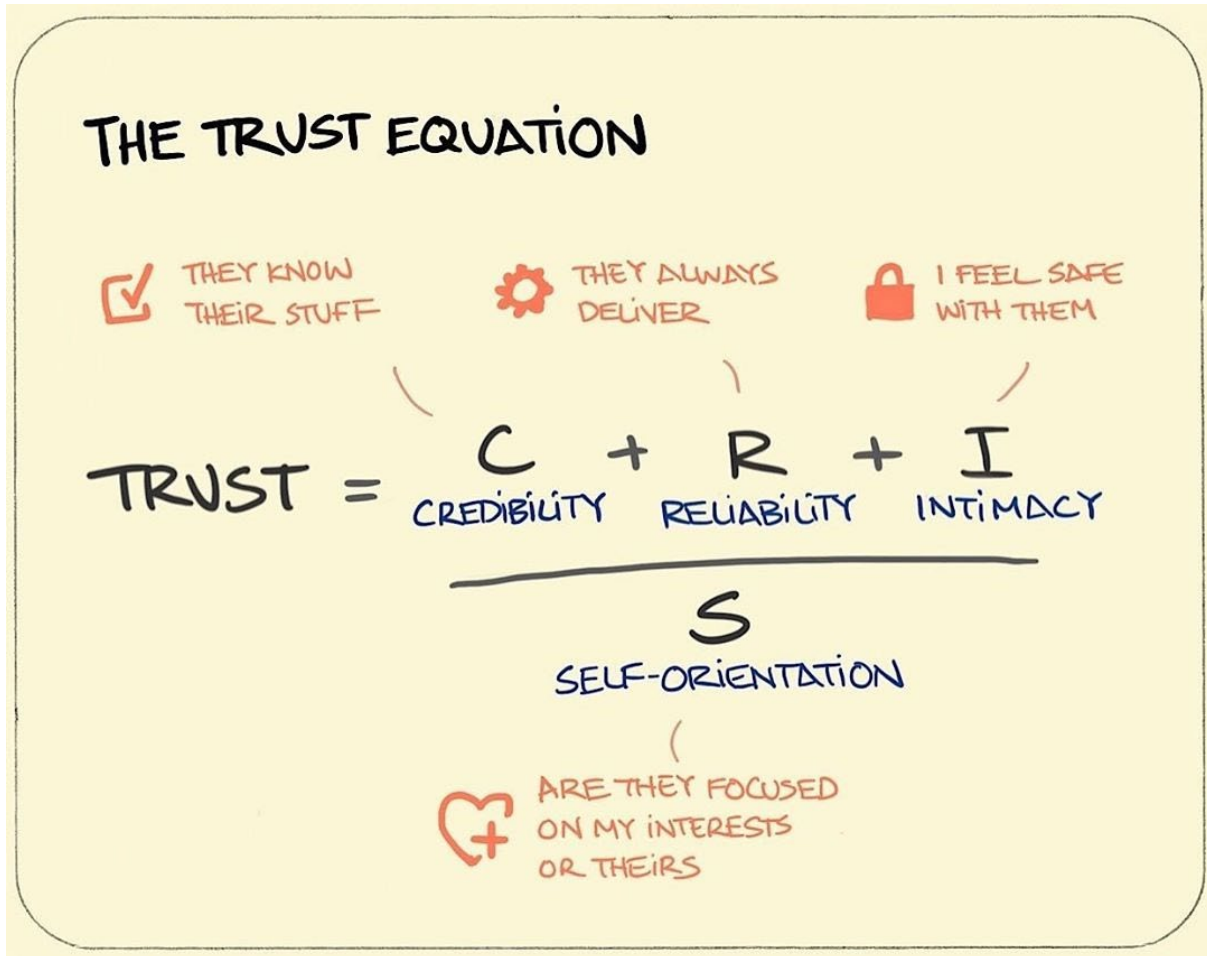


Consent and Joint Decision-Making

- Section 7 of the Declaration Act enables the Province to negotiate and enter into a decision-making agreement with an Indigenous Governing Body relating to:
 - i. the joint exercise of a statutory power of decision, or
 - ii. the consent of the IGB before the exercise of a statutory power of decision



Building a Working Relationship

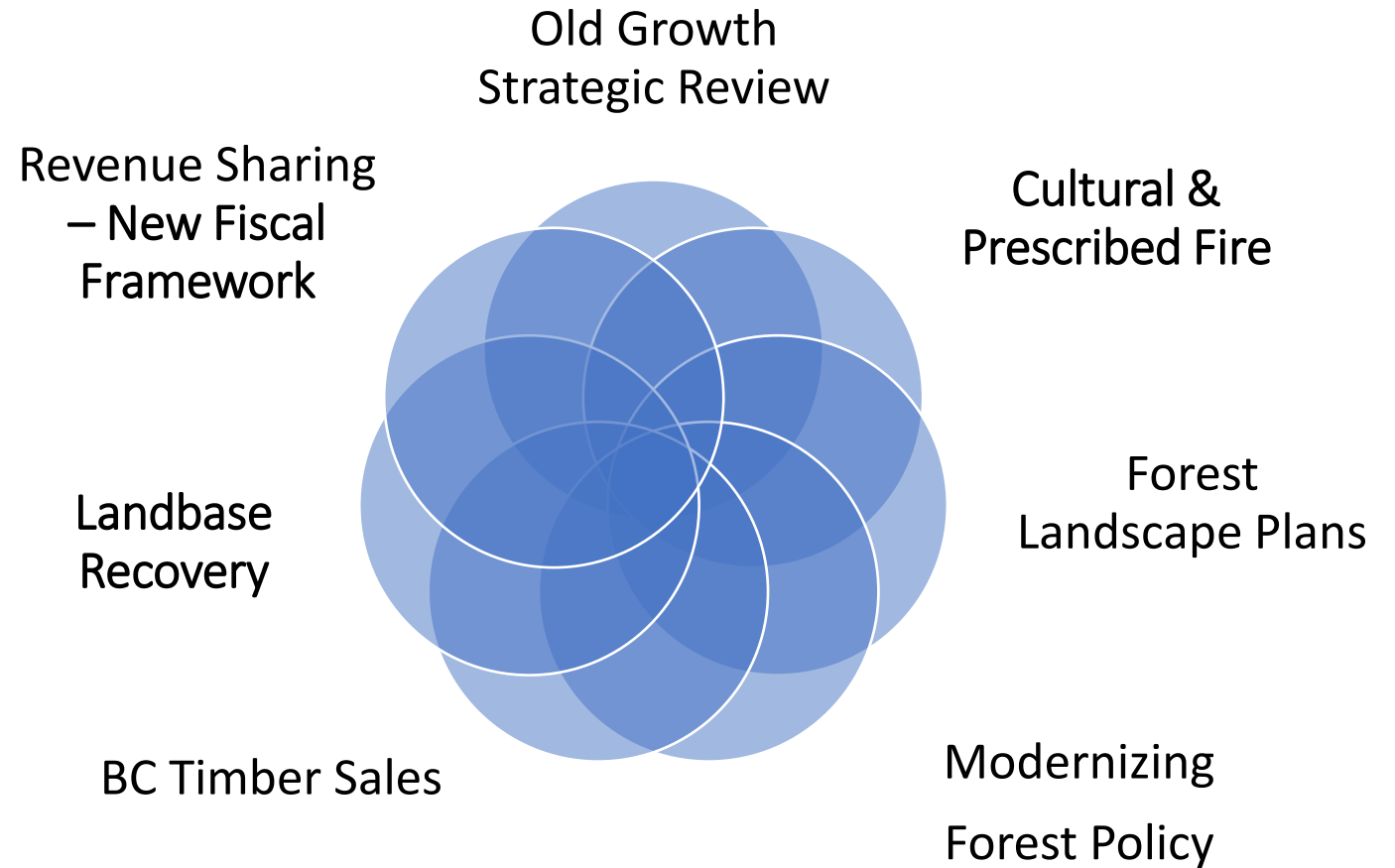


- Mutual Trust is Key
- Working in an environment of collective decision making
- Building on Relationships between Government, Industry and Municipalities.
- Creating space for comprehensive and meaningful engagement.



Collaboration – Working Together

- First Nations Provincial Forestry Forum in November 2022
- 3x First Nations Forestry Regional Sessions in March 2023
- 202 First Nations participants & 82 First Nations communities, organizations and forestry companies represented .



Transformation is a *Journey*



The Journey through
Declaration Act implementation



How can we *transform* the forest sector into one that is built to:

- ✓ Advance Crown-Indigenous relationships;
- ✓ Thrive with less fibre; and
- ✓ Balance interests in managing for a spectrum of values?

The Foundation

A reconciliation-based approach in forestry grounded in rights recognition.



My Grandfather *Skiellst* sat us kids down when I was 8 years old and said something that I have never forgotten he said, ***“Look after your house and all that is in it, know who your guests are and treat them well, but don’t let them move the furniture”.***





Developing Assurance

Investment requires assurance to go both ways....

1. First Nations are a good investment, we have the corporate memory of our traditional territory + we don't move!
2. Continually developing Capacity → Readiness.
3. Creating safe environments to find solutions.
4. Adjusting to the new environment → Goal Posts have moved.

If our house is not healthy, we are not healthy.



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Kwukwscemxw - Thank You

