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| Policy: | 6.1.1 |
| Approved By: | Trust Council |
| Approval Date: | December 7, 2016 |
| Amendment Date(s): | |
| Policy Holder: | Director of Local Planning Services |

FIRST NATIONS ENGAGEMENT PRINCIPLES

PURPOSE

1. To provide a framework for engaging and building relationships between Islands Trust and First Nations.
2. To find opportunities for collaboration and mutual support through its many organizational activities.
3. To initiate and maintain respectful relationships with First Nations communities.

A. BACKGROUND

In the Islands Trust Area, there is a high level of uncertainty regarding current and future First Nations ownership and management of the land base. As of November 2016, many things are in a state of flux because of evolving provincial, national and international recognition of Aboriginal Title.

1. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an international instrument adopted by the United Nations on September 13, 2007. It describes a minimum standard of rights for the “survival, dignity and well-being of the indigenous peoples of the world.” Additionally, Article 26 states that “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired,” and it directs governments to recognize these territories. UNDRIP was endorsed by Canada in 2010 and officially adopted in May 2016.
2. In 2015, the Truth and Reconciliation Commission issued ‘Calls to Action’ to redress the legacy of residential schools and to advance the process of Canadian reconciliation. Several of these calls to action speak to the recognition of aboriginal rights over land. In particular, action 47 calls on all levels of government, including local governments, to “repudiate concepts used to justify European sovereignty over Indigenous peoples and lands... and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.” (Truth and Reconciliation Commission of Canada, 2015).
3. In 2014, the Supreme Court of Canada handed down a decision in the case of the *Tsilhqot’in Nation vs. British Columbia*. In that decision, the court concluded that the Tsilhqot’in Nation has Aboriginal title to over 1,750 square kilometers of their traditional lands, previously deemed Crown land. *Tsilhqot’in* also confirmed that where Aboriginal title has not been established, the Crown has a duty to consult with and accommodate First Nations with stated land claims.
4. The Islands Trust works with separate nations with different customs, history, culture and expectations of engagement.

B. DEFINITIONS

For the purpose of this policy:

“**First Nations**” refer to entities recognized by the Department of Aboriginal Affairs and Northern Development of Canada who have included the Trust Area, or a part of the Trust Area in the asserted traditional territory.

“**Islands Trust**” refers to all Islands Trust bodies, except island municipalities.

C. FIRST NATIONS ENGAGEMENT PRINCIPLES

1. Islands Trust is committed to becoming aware of what it does not know or understand about First Nations.
2. Islands Trust is committed to proving sincere desire for reconciliation.
3. Islands Trust is committed to integrating, where possible, activities that support First Nations reconnecting with the Trust Area lands and waters.

D. POLICY

1. The First Nations Engagement Principles in Section C:
 - 1.1 underpin every activity of Islands Trust in order to have an enduring relationship with First Nations based on trust, honour and goodwill; and
 - 1.2 are sequential and they speak of a way forward to acknowledge how profoundly First Nations have been ignored and disrespected, but these principles also point to a path forward that is genuine and sincere.
2. In committing to Principle C.1, Islands Trust should and island municipalities are encouraged to:
 - 2.1 commit to “listening and learning” about the history of First Nations’ connection to the land and waters;
 - 2.2 commit to “listening and learning” about First Nations’ perspective on treaties, rights and title; and
 - 2.3 commit to acknowledging that history, to ensure First Nations and ourselves that the history has been heard and understood correctly.
3. In committing to Principle C.2, Islands Trust should and island municipalities are encouraged to:
 - 3.1 commit to acknowledging the historical biases in the organization, which come from Canadian culture and assumptions, and have often resulted in non-Native citizens ignoring and minimizing their relationship with First Nations; and
 - 3.2 commit to undertaking actions that reflect an effort to change societal attitudes and systems.
4. In committing to Principle C.3, Islands Trust should and island municipalities are encouraged to:
 - 4.1 commit to supporting, where possible, traditional gathering and harvesting activities;
 - 4.2 commit to supporting, where possible, the integration of Traditional Knowledge into stewardship practices and policies; and
 - 4.3 commit to supporting the development of a Reconciliation Action Plan.

E. REFERENCES

1. *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, United Nations, Sept.13, 2007.
2. *Truth and Reconciliation Commission: Calls to Action*, Truth and Reconciliation Commission of Canada, 2015.
3. *Tsilhqot'in Nation vs. British Columbia*, Supreme Court of Canada, 2014.

F. ATTACHMENTS/LINKS TO SUPPORTING FORMS, DOCUMENTS, WEBSITES, RELATED POLICIES AND PROCEDURES

n/a