



BC ASSEMBLY OF FIRST NATIONS

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Prince George, BC V2K 5S3
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BCAFN SPECIAL CHIEFS ASSEMBLY
March 7 & 8, 2024
Online via Zoom

Resolution 14/2024

**SUBJECT: MODEL FOR MULTILATERAL EMERGENCY MANAGEMENT SERVICES FUNDING
NEGOTIATIONS**

Moved by: CHIEF ARNOLD LAMPREAU, SHACKAN INDIAN BAND

SECONDED BY: CHIEF JERRY JACK, MOWACHAHT/MUCHALAHT

DECISION: CARRIED

WHEREAS:

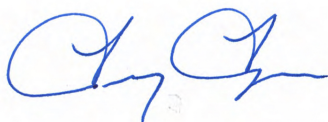
- A. in 2017, a 10-year bilateral Emergency Management Service Agreement was signed between Indigenous Services Canada (ISC) and B.C.;
- B. in 2015 Canada and in 2018 British Columbia endorsed the Sendai Framework for Disaster Risk Reduction and its four priorities including understanding disaster risk, strengthening risk governance, investing in risk reduction and resilience, enhancing disaster preparedness, building back better in recovery, and rehabilitation and reconstruction.
- C. the BC Assembly of First Nations (BCAFN) working with the First Nations Summit (FNS) and the Union of BC Indian Chiefs (UBCIC) together as the First Nations Leadership Council (FNLC) entered into a tripartite memorandum of understanding (the MOU) in 2019 with the Government of Canada (represented by ISC), and the government of British Columbia (represented by Emergency Management BC (EMBC) and B.C. Wildfire Service (BCWS)) for the purpose of working collectively to advance meaningful recognition and enhanced capacity of First Nations within all pillars of emergency management (i.e., preparedness, mitigation, response, and recovery);

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- D. by Resolution 10/2023, the BCAFN Chiefs-in-Assembly supported Canada and B.C. expanding the Bilateral Agreement to a new trilateral agreement with First Nations in B.C., for the purposes of ensuring satisfactory, effective and equitable funding and resourcing within the four pillars of emergency management in First Nations communities by December 2022;
- E. by Resolution 10/2023 the BCAFN Chiefs-in-Assembly directed the Regional Chief, working with the UBCIC and FNS, as the FNLC, to engage with First Nations in B.C. and provide possible negotiation models for First Nations consideration in order for First Nations to engage in negotiation with Canada and British Columbia on the new trilateral agreement, and further directed the Regional Chief to report back to the Chiefs-in-Assembly with a final negotiation model for consideration;
- F. the *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of B.C., passed legislation committing to implement, affirms:
Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.
Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them;
- G. in accordance with resolutions endorsed by the Chiefs, the FNLC, ISC and EMCR are working towards a new multilateral agreement and began developing a framework and information sharing in November 2023. On January 31, 2024, the FNLC hosted an All Chiefs Meeting on First Nations involvement in negotiations on a new multilateral agreement for emergency management where they discussed a three phased approach;
- H. a dedicated working group that represents the interests of First Nations in B.C. , including flood, forest fire, sea level rise and earthquake, is required to engage with ISC and EMCR towards creating a new multilateral agreement on emergency management. The team will need to consist of knowledgeable individuals who have a deep understanding of emergency management, climate change, First Nations title and rights, negotiations and multilateral processes;
- I. a discussion paper was circulated in advance, presented and discussed at the All Chiefs meeting, providing collaborative models for consideration:

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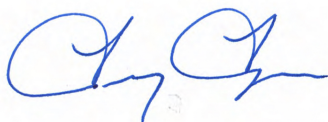
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- Collaborative FNLC representatives: individuals from the FNLC organizations including appointed leaders and technical experts who possess the necessary expertise, knowledge and experience to effectively represent the interests of First Nations in B.C.
 - Specialized Chief Negotiator: as an alternative approach, we could consider hiring a Chief Negotiator who specializes in emergency management and negotiation fields.
 - Other: open for discussion;
- J. delegates at the All Chiefs meeting expressed a strong preference for a collaborative model that includes participation from expert First Nations leadership and emphasized the need for capacity to move the work forward;
- K. delegates discussed immediate needs for the negotiating team to advance, and agreed that there is a need for ISC to provide funding to bands for Emergency Management Coordinators, funding for backlogged mitigation projects, and a need for existing Community Emergency Preparedness Funding to go directly to First Nations (not the Union of B.C. Municipalities). Subsequent phases include achieving a high-level overarching rights-based framework, inclusion of key partners and implementation of critical recommendations by 2025. By 2026, the third phase will include full recognition of First Nations jurisdiction over emergency management services, with a goal of achieving agreement and implementation by 2026; and
- L. climate emergencies are increasing for remote Indigenous communities, yet the federal government is still more reactive than preventative when responding to them, despite First Nations communities identifying many infrastructure projects to mitigate the impact of emergencies. For every dollar spent on preparedness and mitigation, six dollars can be saved in emergency response; the work to conclude the multilateral negotiations must be swift.

THEREFORE BE IT RESOLVED THAT:

1. the BCAFN Chiefs-in-Assembly supports the creation of a First Nations collaborative negotiation team comprised of three (3) First Nations Leadership Council representatives along with six (6) expert First Nations leadership and technical support for a total of nine (9) First Nations representatives, to enter into the multilateral emergency management services funding negotiations with Indigenous Services Canada (ISC) and Emergency Management BC (EMBC) in order to create multilateral funding and policy models that First Nations can use immediately as an absolute minimum, or draw down on to enter into their own tripartite negotiation tables with ISC and EMBC;
2. the BCAFN Chiefs-in-Assembly appoints the following two (2) emergency management experts from the BCAFN Chiefs-in-Assembly to participate on the working group alongside the three (3) FNLC representatives, two (2) FNS representatives and two (2) UBCIC representatives:
 - Judy Wilson

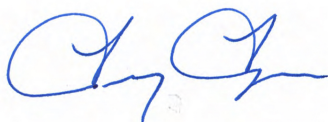
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- Chief Arnold Lampreau
3. the BCAFN Chiefs-in-Assembly supports a phased negotiation model to be led by the negotiation team including (1) immediate needs and economic analysis; (2) high-level overarching rights-based framework including funding for rights holders; and (3) achieving full recognition of First Nations jurisdiction over emergency management service by 2026;
 4. the BCAFN Chiefs-in-Assembly identifies the following as phase 1 priorities: ISC and/or EMCR to provide adequate, predictable, sustainable funding directly to First Nations for Emergency Management Coordinators, funding for urgent backlogged mitigation projects, and existing Community Emergency Preparedness funding to go directly to First Nations (not the Union of B.C. Municipalities or any other third party);
 5. the BCAFN Chiefs-in-Assembly calls on ISC and EMCR to provide capacity funding for the multilateral negotiation team and to recognize that there may be need for capacity for sub working groups;
 6. the BCAFN Chiefs-in-Assembly calls on the provincial and federal government to acknowledge, affirm and uphold First Nations' unceded inherent rights and sovereignty with respect to our lands and waters including emergency management; and
 7. the BCAFN Chiefs-in-Assembly directs the BCAFN representatives to the multilateral negotiation team to report back on progress on a regular basis at Chiefs in-Assembly and via monthly written updates or virtual meetings as needed and to seek regular input from the BCAFN Chiefs-in-Assembly or BCAFN Board of Directors as the negotiation framework progresses. Near final positions/versions must be shared with Chiefs for review and endorsement before being signed off by the three parties.

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