



# BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

BCAFN SPECIAL CHIEFS ASSEMBLY  
Nicola Valley Institute of Technology, Merritt, BC  
March 7 & 8, 2019

Resolution 07(d)/2019

**SUBJECT:** ALL CHIEFS' AND LEADERSHIP DIALOGUE SESSION ON OVERLAP AND SHARED TERRITORY

---

**MOVED BY:**

---

**SECONDED BY:**

---

**DECISION:**

---

**WHEREAS:**

- A. there is a widely held, general understanding that the resolution of overlap and shared territory issues is primarily a matter to be addressed and resolved among First Nations, through approaches grounded in our cultural traditions, practices and Indigenous legal systems and laws;
- B. at the All Chiefs' Forum convened by the First Nations Leadership Council ("FNLC") in November 2007, First Nations Chiefs and leadership issued the "All our Relations" Declaration which signified a strong will to achieve unity among First Nations in BC and highlighted the need to continue building relationships through the creation of Nation-to-Nation protocols, resolution of overlaps and development of principles that focus on relationship building;
- C. the *United Nations Declaration on the Rights of Indigenous Peoples*, which the Governments of British Columbia and Canada have adopted without qualification and have committed to implement, affirms:  
**Article 26(1):** Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.  
**Article 26(2):** Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

---

Certified copy of a resolution adopted on the 8<sup>th</sup> day of March, 2019, at NVIT, Merritt, BC

---

Terry Teegee, BC Regional Chief

**Article 27:** States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process;

- D. BC Chiefs have approved resolutions at meetings of the Union of BC Indian Chiefs, the First Nations Summit and the BC Assembly of First Nations aimed at bringing about solutions to resolve overlap and shared territory issues;
- F. numerous decisions of the Supreme Court of Canada have confirmed that these lands were indeed "occupied" by Indigenous peoples with distinctive societies and cultures;
- G. Section 35 of the *Constitution Act, 1982*, recognizes and affirms the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada;
- H. on March 24-25, 2014, the First Nations Summit, the Union of BC Indian Chiefs, and the BC Assembly of First Nations hosted a province-wide Chiefs and Leadership dialogue forum on overlap and shared territory issues and a final report was produced as a result of that session. Further, a recommendation arising from that session was the call for a follow-up dialogue session; and
- I. as we move forward, there are many approaches and tools that can be considered or relied upon to support unity among our communities and resolution of shared territory and overlap issues.

**THEREFORE BE IT RESOLVED THAT:**

1. the BCAFN Chiefs-in-Assembly directs the Regional Chief, working with the Union of BC Indian Chiefs and the First Nations Summit as the First Nations Leadership Council (FNLC), to host an All Chiefs and Leadership dialogue session on overlap and shared territory issues;
2. the BCAFN Chiefs-in-Assembly directs the Regional Chief to call on Canada and British Columbia to provide supporting resources to host an All Chiefs and Leadership dialogue session on overlap and shared territory issues;
3. the BCAFN Chiefs-in-Assembly acknowledges that the FNLC operates under Terms of Reference endorsed through resolution at each of the BC Assembly of First Nations, First Nations Summit and UBCIC Chiefs assemblies. The Terms of Reference set out:
  - 1.9. The FNLC is not a Nation, and therefore does not hold Aboriginal Title, Rights or Treaty Rights; and, the FNLC acknowledges that any government-to-government relationship is between individual Nations and the Crown.
  - 1.10. The Crown's duty to consult is with individual Nations and not with the FNLC; and
4. the BCAFN Chiefs-in-Assembly affirms that any document arising out of these processes led by the FNLC is not to be interpreted as a complete response from First Nations communities in BC, but rather

---

**Certified copy of a resolution adopted on the 8<sup>th</sup> day of March, 2019, at NVIT, Merritt, BC**



---

**Terry Teegee, BC Regional Chief**

as an initial step which does not replace the requirement of the Crown to engage on a nation-to-nation level with First Nations in BC.

---

Certified copy of a resolution adopted on the 8<sup>th</sup> day of March, 2019, at NVIT, Merritt, BC

A handwritten signature in blue ink, appearing to read 'Terry Teegee', is written over a horizontal line.

---

Terry Teegee, BC Regional Chief