



Backgrounder

“A New Relationship” *Implementation of Supreme Court of Canada Decisions*

The document agreed to by the leadership of the First Nations Summit, the Union of BC Indian Chiefs, the BC Assembly of First Nations and BC Premier Gordon Campbell is entitled “A New Relationship”. This document is the result of discussions with senior provincial government officials on how to establish **a new government-to-government relationship based on respect, recognition and accommodation of Aboriginal title and rights.**

The document sets out a vision statement, goals of the parties, principles of a new relationship and some action plans. The action items represent the next steps that must be done to advance this new relationship and the common vision. Our respective organizations and Premier Campbell have committed to making this work a priority.

By way of background, following the decisions of the Supreme Court of Canada in *Haida* and *Taku*, resolutions were passed by the First Nations Summit and the Union of BC Indian Chiefs to work promptly and together to develop a plan to ensure the implementation of these and other Court decisions. **This unity of purpose was strengthened on March 17, 2005 with the signing of an historic Leadership Accord where the First Nations Summit, the Union of BC Indian Chiefs and the BC Assembly of First Nations committed to work together for the benefit of all First Nations in British Columbia.** Among the joint commitments was an agreement to engage with the provincial and federal governments regarding implementation of the Crown’s honourable duty to consult with and accommodate First Nations Aboriginal title, rights and interests.

The Province also saw that it must make a bold shift in how the Provincial Crown conducts business, not only because of *Haida* and *Taku* and subsequent court decisions dealing with the Crown’s duty, but also because of the growing level of conflict and uncertainty. The Province realized that it can no longer be “business as usual”.



On February 9, 2005, Premier Campbell committed to a process with the First Nations provincial leadership to openly discuss how we can establish a new relationship. He acknowledged that the unilateral development and implementation of the Provincial Consultation Policy after the BC Court of Appeal decisions in *Haida* clearly did not work and he expressed interest in “doing it right” this time.

Over the month of March, the First Nations provincial leadership engaged in dialogue with senior officials appointed by the Premier including Jessica McDonald, Deputy Minister of Strategic Policy, Economy and Environment, Office of the Premier, and Lorne Brownsey, Deputy Minister, Treaty Negotiations Office (and other senior government officials) on how to bring about reconciliation through substantive change and develop an effective framework for consultation and accommodation. We insisted that discussions be based on respect, recognition and accommodation of Aboriginal title and rights, including the inherent right of First Nations governance. We discussed the need for shared planning and decision-making, as well as benefit and resource revenue sharing in order to establish an effective government-to-government relationship and a meaningful process for consultation and accommodation.

Resolutions of support for the further development and implementation of the document were passed by the Union of BC Indian Chiefs Chiefs’ Council (in April 2005), the BC First Nations Chiefs and leaders in attendance at a “Special Joint Assembly” (in May 2005), and the First Nations Summit Chiefs in Assembly (in June 2005).

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