The UN Declaration on the Rights of Indigenous Peoples in British Columbia

2020

BC Oil & Gas COMMISSION

Presentation to IOGCC Public, Indigenous & Coastal Lands Committee

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BC Oil & Gas COMMISSION

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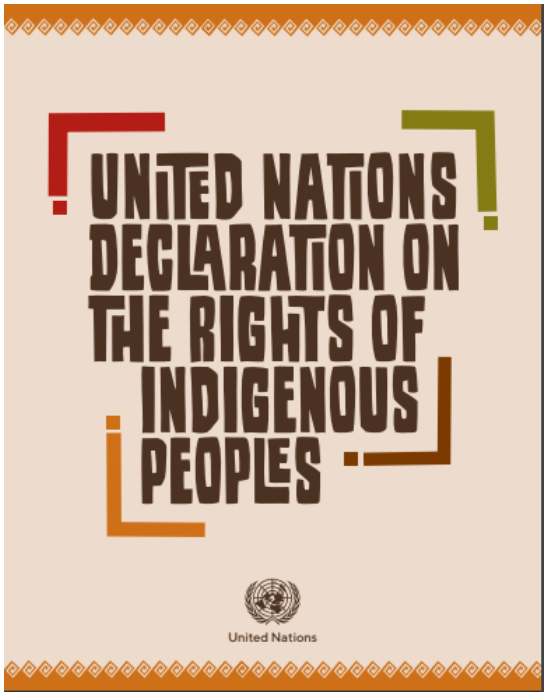
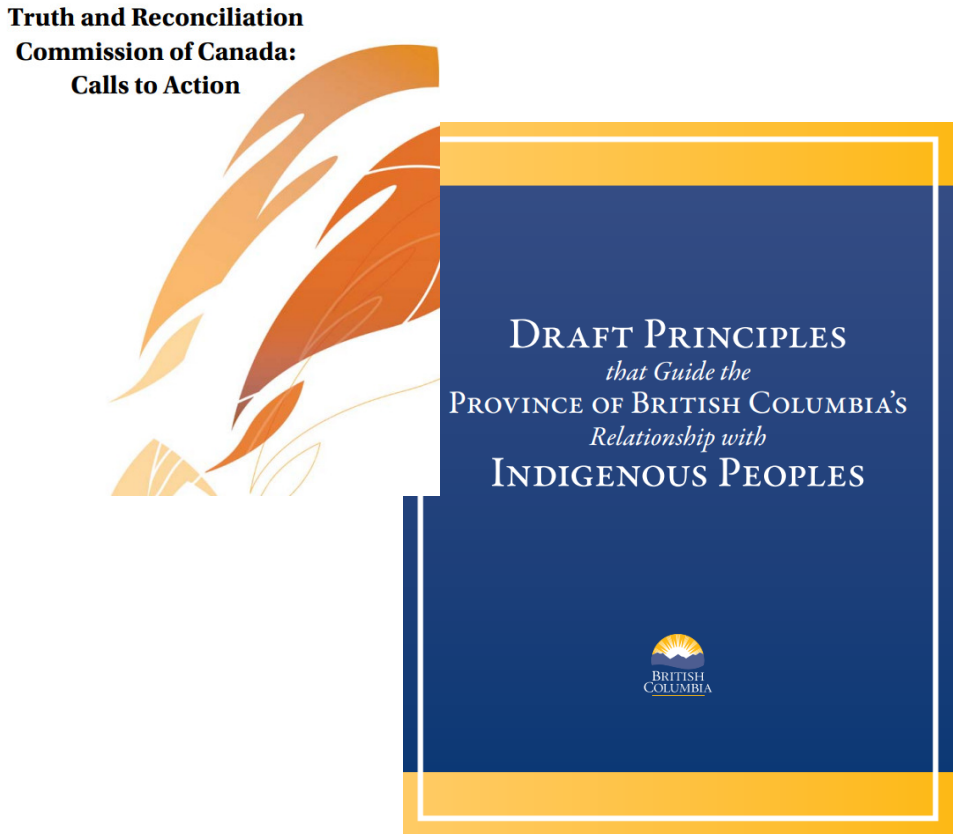
The UN Declaration on the Rights of Indigenous Peoples : A Refresher

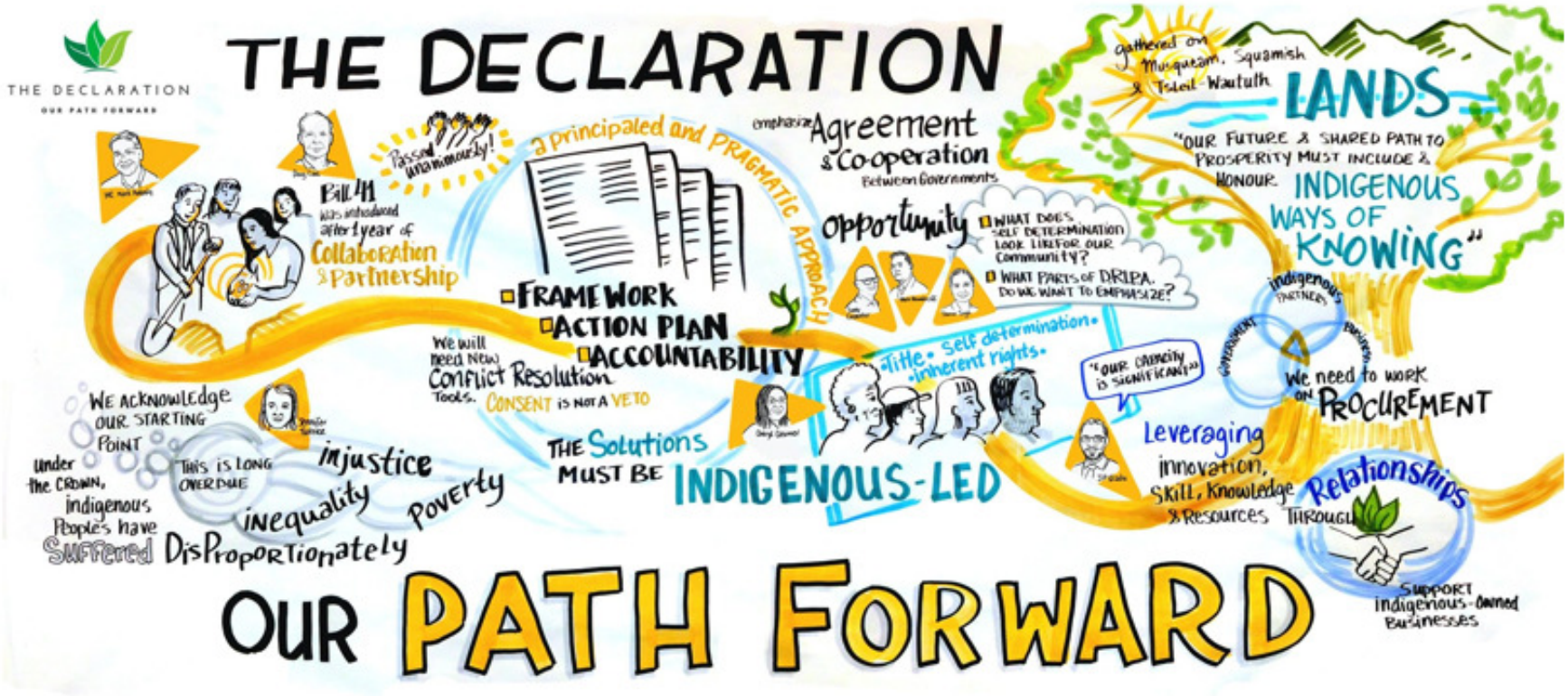
Truth and Reconciliation
Commission of Canada





Human Rights	• Life, liberty, security, equality, education, and employment
Cultural Identity	• Cultural, spiritual, and linguistic identity
Self-Determination	• Internal governance and Indigenous institutions
Decision Making	• Participation in decision making, treaties, agreements and arrangements and free, prior and informed consent
Lands and Resources	• Access, ownership and development of lands, territories, and resources

Declaration on the Rights of Indigenous Peoples: Legislation



Artist: Annalee Kornelson/Drawing Change

Declaration on the Rights of Indigenous Peoples Act (DRIPA)

- DRIPA requires:
  - Alignment of BC's laws with the UN Declaration, and
  - An action plan that includes consistent public reporting
  - Requires regular reporting to the legislature to monitor progress (every March 31st)

- DRIPA also:
  - Allows for flexibility for the Province to enter into agreements with a broader range of Indigenous governments
  - Creates a mechanism for decision making opportunities for Indigenous governments on matters that impact their citizens

Declaration on the Rights of Indigenous Peoples Act: The Provincial Legislative Debate

- *"The Act **doesn't change existing tenures on Crown land**, and nor does it, in and of itself, give the declaration legal force and effect.*
- *"In the short term **we don't anticipate any significant changes in the regulatory framework**. If there were changes coming, they would come in collaboration with Indigenous nations.*
- *"[What the Act means by 'laws'] does not apply to municipal bylaws and that sort of thing. OICs could apply, yes. **Regulations could apply. The priorities and the pace of the work will be set in collaboration with Indigenous peoples**"*

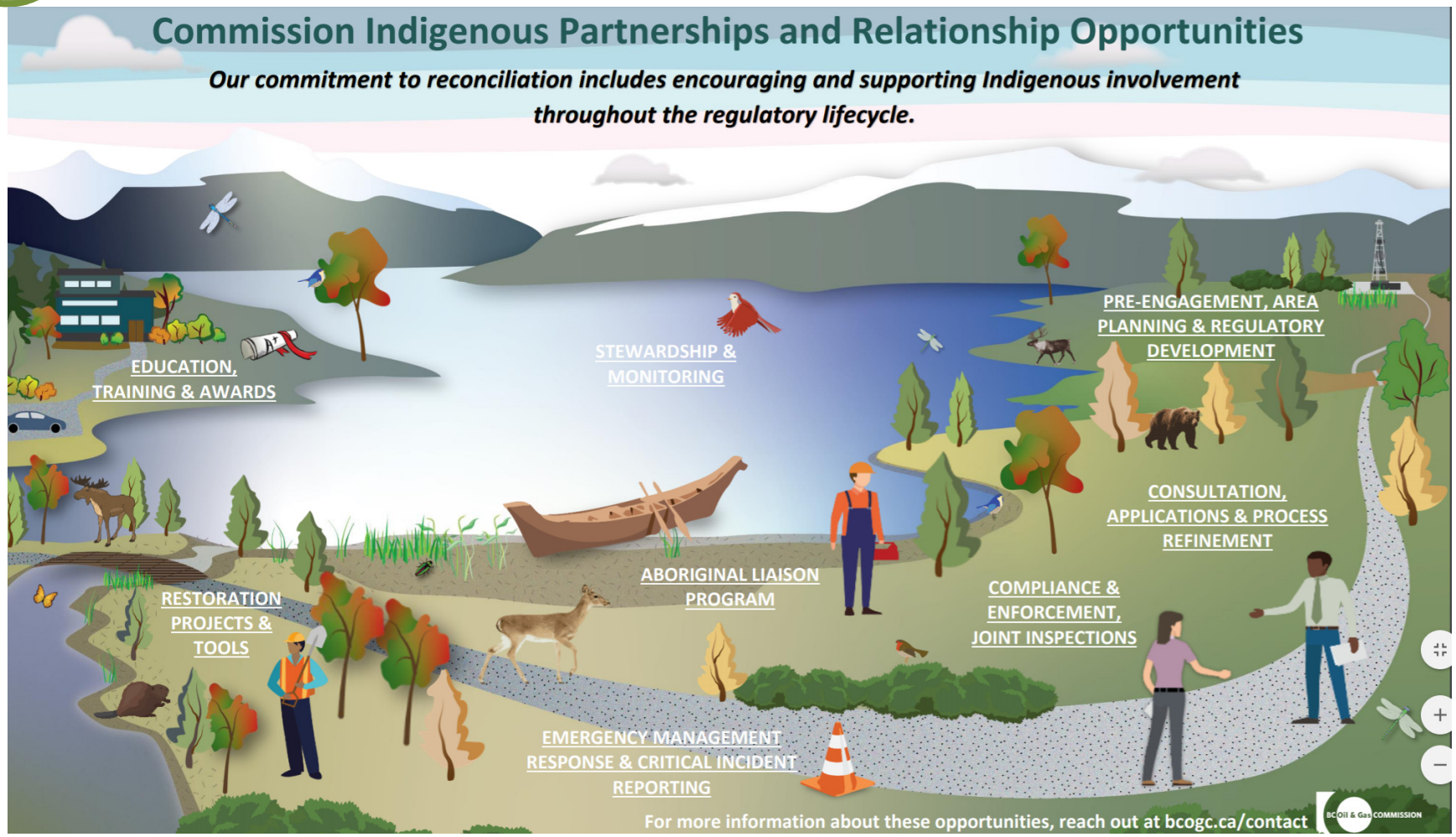
*"The Act itself **does not change how the province consults with First Nations**, nor how operational decisions are made.*

DRIPA & The Regulator

What is the Commission doing?

1. Enhanced Engagement
2. Enhanced Relationship Building programs and Initiatives
3. Flexibility and transparency in our approaches
4. Building our capacity and cultural awareness
5. Aligning our policies and procedures

DRIPA & The Regulator



https://www.bcogc.ca/files/images/Partnerships-and-Opps-Infographic-FINAL_-Interactive-PDF_2020.pdf