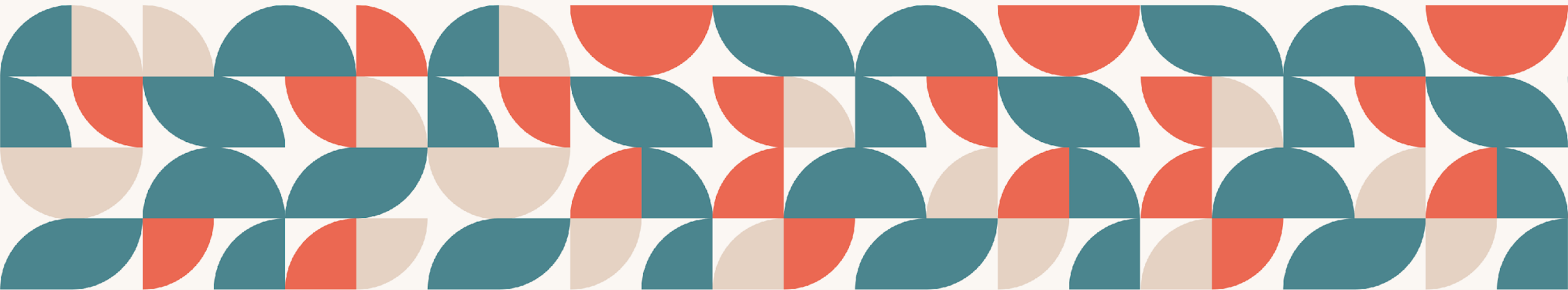


APPLICATION OF UNDRIP TO LOCAL GOVERNMENTS

Date: September 18, 2023

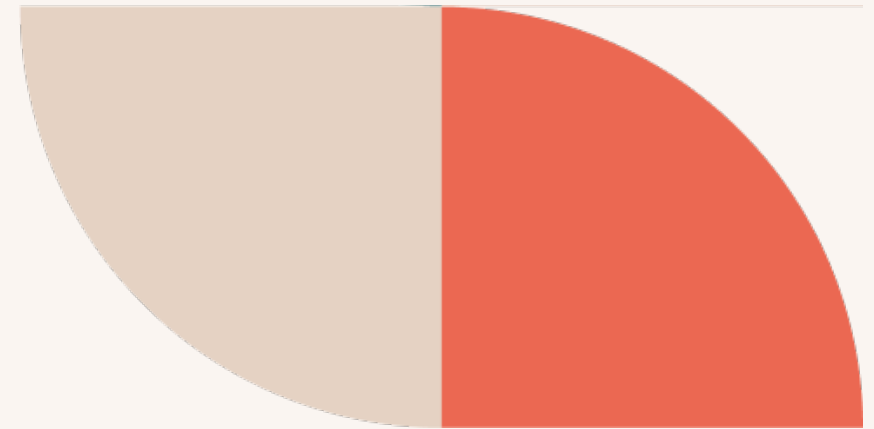
Presenter: Elisa Penn

Organizer: Union of BC Municipalities



UNDRIP is an international human rights norm

- UNDRIP expresses and recognizes international human rights norms in the context of Indigenous peoples. These human rights are to be upheld, respected and applied by all levels of governments in all their relations with Indigenous Peoples.



Provincial commitment to UNDRIP

- The Province enacted the *DRIPA* and committed to work with Indigenous Peoples to complete an action plan to implement *UNDRIP*, including a commitment to bring all of its laws into alignment with *UNDRIP*.
- The Province amended its *Interpretation Act* which confirms that every provincial law and regulation is to be construed in a manner consistent with *UNDRIP* - a clear signal that the Province intends comprehensive application of *UNDRIP* to its legislation .



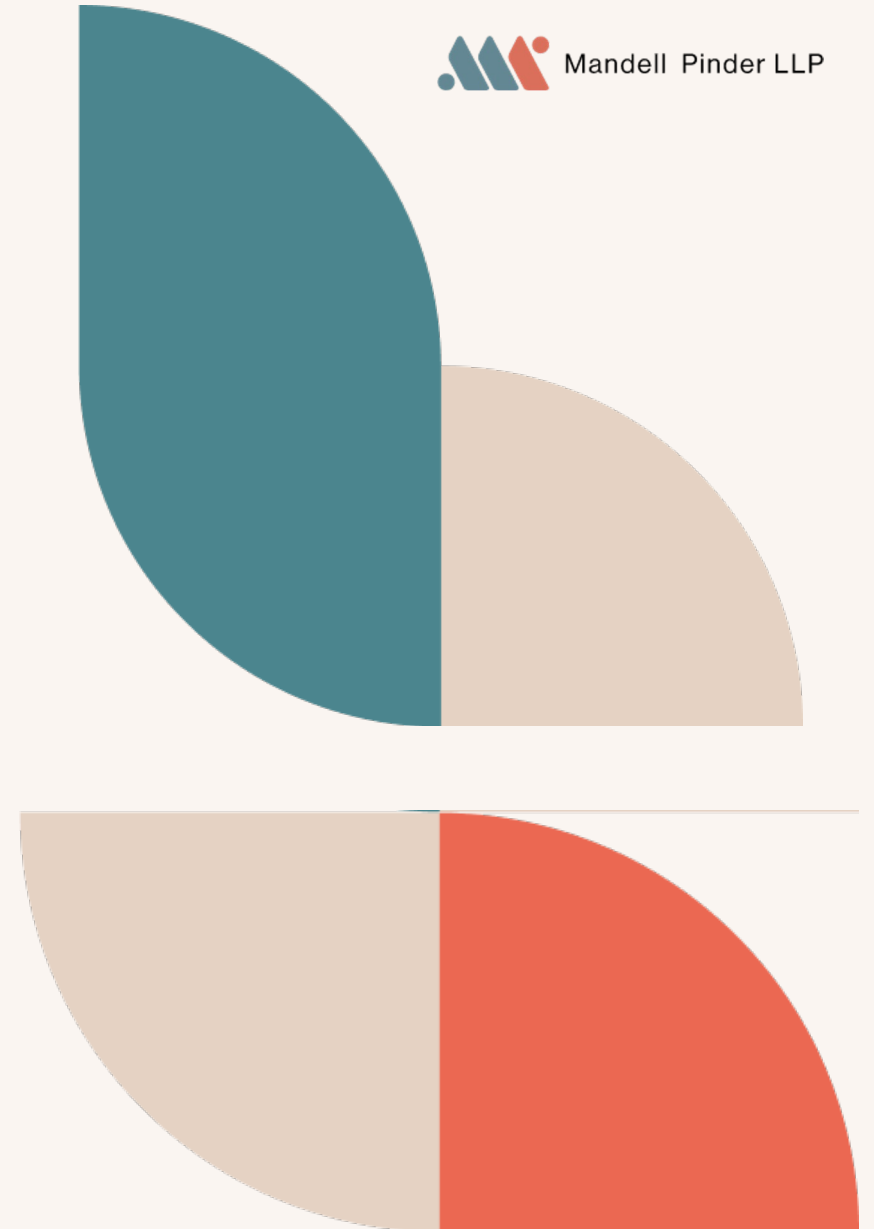
UNDRIP and Local Government

- The Province relies on local governments to exercise local jurisdiction as they are the best situated level of government to respond to specific local needs. Local governments are created, authorized through, and rely solely on delegated provincial authority found in Provincial statutes.



Local Governments' obligations to Indigenous People

- Canadian Courts have confirmed that any Crown actor exercising legal authority that may impact First Nations' Title and Rights must act honourably
- Legal obligations to Indigenous People are held by the level of government exercising legal authority that stands to impact Indigenous People
- Reconciliation is a shared responsibility by all levels of Crown governments.



Implementing *UNDRIP* with Local Governments

- Decisions made by local governments impact First Nations' Territories, Rights and people.
- Many local governments and First Nations are looking for collaborative solutions.
- Protocols upholding collaborative decision making processes that respect each government's roles, responsibilities and decision making processes may be a useful path forward to create transparent reliable outcomes.



Comments?
Questions?
Thank you!

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