
Backgrounder

THE RECOGNITION AND RECONCILIATION OF RIGHTS POLICY FOR TREATY NEGOTIATIONS IN BRITISH COLUMBIA

Historical Context

In 1992, a made-in-British Columbia treaty negotiations process was created to guide negotiations in British Columbia. For years, Canada, the First Nations Summit and the Province of British Columbia have been working collaboratively to strengthen and improve treaty negotiations, advance reconciliation and make progress on concluding agreements in British Columbia within the BC treaty process.

The Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia was made possible due to this pre-existing, tripartite relationship between Canada, the Province of British Columbia and the First Nations Summit. The parties share the same goals to improve treaty negotiations in British Columbia.

With both the federal government and the Province of British Columbia committing to implementing *the United Nations Declaration on the Rights of Indigenous Peoples* and the *Truth and Reconciliation Commission's 94 Calls to Action*, the parties recognized the opportunity to make profound improvements to how treaty negotiations are approached in British Columbia.

Policy Highlights

The new BC-specific policy captures ongoing work and new innovations at negotiation tables across British Columbia. It also builds on the work of the 2016 "Multilateral Engagement process" and the more recent "Principals Accord" and draws on the experience gained by the negotiating parties since treaty negotiations began.

This BC-specific policy supports an approach to treaty negotiations based on the recognition of rights. A central feature of the BC-specific policy is that negotiations recognize the continuation of rights without modification, surrender or extinguishment when a treaty is reached. Under the BC-specific policy, future treaties, agreements and other constructive arrangements will set out guidelines for reconciling Crown and Indigenous rights based on co-existence that can evolve over time. It also provides greater flexibility to develop agreements incrementally in British Columbia.

Policy Application

This policy is specific to groups negotiating treaties under the British Columbia treaty negotiations framework, and does not apply to other Indigenous groups negotiating with Canada or British Columbia, who may be engaged in other reconciliation processes.