

UNDRIP & DRIPA in BRITISH COLUMBIA

What Residents Need to know & How to TAKE ACTION

What is UNDRIP?

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an international declaration adopted by the United Nations in 2007. The Federal government passed the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDRIP) and became law on June 21, 2021. Like BC's DRIPA all levels of the Federal government are required to ensure their Departments are consistent with UNDRIP.

What is DRIPA in British Columbia?

In 2019, British Columbia passed the Declaration on the Rights of Indigenous Peoples Act (DRIPA). This legislation commits the provincial government to "align" B.C. laws with UNDRIP over time.

However, DRIPA goes further than guidance. It gives the Provincial government authority to:

- Enter binding agreements without legislative debate, like the Haida agreement.
- Recognize Indigenous title and consent arrangements outside the long standing treaty process.
- These powers are being exercised without clear public safeguards, transparency requirements, or defined limits.

Why This Matters to All British Columbians

Recent court decisions and government actions have raised serious concerns about how DRIPA is being used in practice.

Key issues include:

- Legal uncertainty around Land Title, Crown Land, and Resource management.
- Parallel land title systems, creating economic uncertainty for Municipalities, businesses, and residents.
- Negotiating land use agreements, like the Haida, with no public consultation.

The BC Treaty Process has created several Treaties that protect freehold land.

Reconciliation is essential but it must be fair, respectful and transparent.

Recent Supreme Court Ruling

The Cowichan/ Richmond decision ruled in part:

- that 800 acres of freehold land was transferred to aboriginal title.
- that section 23 and 25 of the Land Title Act do not apply. *These sections give citizens the right to own land.*

The Government has offered to backstop the financial uncertainty with financial support. This decision creates economic and personal uncertainty. ***It needs to be vigorously appealed.***

A Better Path Forward

- Repeal DRIPA and Sec. 8 of the Interpretation Act.
- Support the BC Treaty Process.
- Create an ***Independent DRIPA Task Force.***
- The Task Force will create a solutions based path to reconciliation and economic certainty on the land base.

TAKE ACTION

Residents have an important role to play.

You can:

- Download letters, briefings, and action tools at: www.KelownaCSA.org
- Contact your MLA and ask them to support the Repeal of DRIPA.
- Support and improve the current BC Treaty process.
- Share this information with neighbours, family, and community groups.

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Kelowna Citizens Safety Association

Make Your Voice Count

