May 10, 2016

Honourable Christy Clark
Premier of British Columbia
Parliament Buildings
Victoria, BC V8V 1X4
Via facsimile: 250 387 0087
Via email: premier@gov.bc.ca

Honourable Mike Bernier
Minister of Education
PO Box 9045 Stn Prov Govt
Victoria, BC V8W 9E2
Via facsimile: 250 356 0948
Via email: mike.bernier.MLA@leg.bc.ca; educ.minister@gov.bc.ca

Honourable Teresa Wat
Ministry of International Trade & Responsible for Asia Pacific Strategy & Multiculturalism
PO Box 9063 Stn Prov Govt
Victoria, BC V8W 9E2
Via facsimile: 250 953 0928
Via email: MIT.Minister@gov.bc.ca

Honourable John Rustad
Minister of Aboriginal Relations and Reconciliation
PO Box 9055 Stn Prov Govt
Victoria, BC V8W 9E2
Via Email: ABRминистр@gov.bc.ca
Via Facsimile: 250 953 4856

RE: Support for the Canadians for Reconciliation Society protection of New Westminster Douglas Road Cemetery.

Dear Premier Clark, Minister Bernier, Minister Wat, and Minister Rustad:

The Union of BC Indian Chiefs (UBCIC) supports the Canadians for Reconciliation Society’s efforts to advocate for a new site for the proposed New Westminster Secondary School and to protect the Douglas Road Cemetery from further development.

This cemetery is the only heritage site in New Westminster with Chinese Canadian significance, and this site holds the ancestral remains of local Sikh and First Nations communities. The city of New Westminster recognizes 33 “stakeholder groups,” 19 of which are Indigenous.
The Province of BC has ignored the ongoing concerns of the impacted First Nations and non-Aboriginal people of the cemetery. Any development on this site without adequate consultation to the 19 Indigenous stakeholders would be in direct contravention of the United Nations Declaration on the Rights of Indigenous Peoples which necessitates the inclusion of those Indigenous stakeholders when determining any actions impacting upon their cultural and historic sites:

Article 11(1): Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect, and develop the past, present, and future manifestations of their cultures, such as archaeological and historical sites, artifacts, ceremonies;...

Article 12(1): Indigenous peoples have the right to “maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains;

Article 12(2): States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

By UBCIC Resolution 2007-48, the UBCIC Chiefs Council acknowledged that the existing Heritage Conservation Act and associated management regime does not recognize Aboriginal Title and Rights, nor does it adequately address the needs and interests of First Nations as it relates to their culture and heritage resources. The Provincial Heritage Conservation Act does not protect our sacred sites, the sanctity of our artifacts and the remains of our ancestors in accordance with our laws and customs.

We call on the Provincial government to recognize the new legal reality post Tsilhqot'in by fully respecting and protecting First Nations sacred burial sites, and recognizing that any impact on Aboriginal Title lands requires our free, prior and informed consent. The UBCIC calls on the Provincial government to fully respect and protect First Nations sacred and burial sites and to pursue an alternative location for the development of the much needed New Westminster Secondary School.

On behalf of the UNION OF BC INDIAN CHIEFS

Grand Chief Stewart Phillip  
President

Chief Robert Chamberlin  
Vice-President

Kukpi7 Judy Wilson  
Secretary-Treasurer

CC: Bill Chiu, Canadians for Reconciliation Society  
Andrew Weaver, MLA Oak Bay  
Jonathan Cote, Mayor of New Westminster  
Joint Working Group on First Nations Heritage Conservation