



STÓ:LŌ TRIBAL COUNCIL

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February 8, 2023

The Honourable Patty Hajdu
Minister of Indigenous Services Canada
10 WELLINGTON ST
Gatineau, Quebec K1A 0H4
Canada
Mail Stop 2738BH
Sent by Email only - ministresa-ministeris@sac-isc.gc.ca

Re: BC First Nations Health Authority – Canada Funding Agreement

Dear Minister Hajdu:

I am an elected Tribal Chief and President of the Sto:lo Tribal Council (STC). The adult membership of the eight member villages (Chawathil, Cheam, Kwantlen, Kwaw Kwaw A Pilt, Scowlitz, Seabird, Shwx'ow'hamel and Soowahlie) elect three tribal chiefs to advocate for their interests. I am writing to you in support of the First Nations Health Authority. It is extremely important that your department promptly renew the 10-year Canada Funding Agreement with the FNHA. Our citizens do not want to experience any disruption in services or supports.

The Sto:lo Tribal Council is immensely proud of the work of past leaders that created the BC First Nations Health Governance Structure. It took years to develop a deep and informed consensus decision to build the BC First Nations Health Authority. In 2011 and 2012, BC Chiefs tasked the First Nations Health Council to design and build the first of its kind – a First Nations Health Authority.

In 2010 through 2013, and now, BC Chiefs insisted that this new First Nations Health Authority be transparent, accountable, and responsive. The STC is proud of supporting the creation of the most transparent and accountable First Nations organization in BC. Chiefs did not want vital and necessary health programs and services disrupted by politics. Twelve years ago, and now, Chiefs demanded that this new Health Authority be free from all forms of political interference.

Since 2010, the Fraser Salish First Nations Health Council representatives have engaged Chiefs and leaders within our region. They kept us informed, sought our direction, and reported on progress. If required, the Fraser Salish FNHC reps advocated by bringing forward issues and concerns to the appropriate service providers. The FNHC reps engage the Chiefs through regional caucuses and our working group processes. Our FNHA regional office is responsive and addresses concerns from citizens and leaders. The Fraser Salish Region is well served by the FNHC and the FNHA.

The First Nations Leadership Council letter dated February 3, 2023, addressed to you, is a disgraceful act of political interference. A huge majority of Chiefs in 2011 and 2012 approved the First Nations Health Governance Structure. The First Nations Health Council and First Nations Health Authority are accountable to the Chiefs and leaders in each of the five regions and through Gathering Wisdom Assemblies. The FNHC/FNHA is not subordinate to the FNLC.

In their letter dated February 3, 2023, the BC First Nations Leadership Council (FNLC) called upon you to “pause” the CFA negotiations between your Department and the BC First Nations Health Authority. The FNLC is not party to the ISC – FNHA CFA, nor the tripartite agreements. The STC is deeply concerned that the FNLC is threatening the security of long-term funding for much needed health services and programs managed by the FNHA. Since 2013, the FNHA has been collaborating with all partners to transform health services and achieve improved health outcomes for our people.

I understand that the FNHC and FNHA have completed a legal review of the health governance structure in light of the United Nations Declaration On The Rights of Indigenous Peoples. The STC is confident that the BC First Nations Health Governance Structure is compliant with the UNDRIP.

Recent federal and provincial laws have directed Canada and the Province of BC to implement the United Nations Declaration on the Rights of Indigenous Peoples. These new laws set out a clear pathway to achieve meaningful reconciliation. In BC, the First Nations Health Governance Structure can and will support governments to implement the UNDRIP directly with First Nations. The FNHC engagement and decision-making pathway provides a means for Canada and the Province of BC to engage directly with First Nations communities in each of our five regions.

An informed and impartial observer would note that the 2011 FNHC/FNHA/FNHDA 7 Directives reflect the spirit and intent of the United Nations Declaration on the Rights of Indigenous Peoples. The BC First Nations Health Governance Structure provides a clear demonstration that the UNDRIP Article 18 about Indigenous Decision-making bodies is not only possible – it is necessary. How will Canada achieve the intent of UNDRIP Article 19 about free, prior, informed consent without supporting Indigenous Decision-making bodies.

Over the past twenty years, I have observed the FNLC oppose the creation of the First Nations Health Authority in 2011. The FNLC opposed the FNHC and its work on the social determinants of health in 2015. In 2017, the FNLC opposed the signing of a Memorandum of Understanding between Indian and Northern Affairs Canada and the First Nations Health Council. The FNLC has not advocated for, nor supported the FNHC. Instead, the FNLC has actively opposed the First Nations Health Council for the past decade.

The FNLC according to its own foundational documents is not a Nation so it does not hold “Title and Rights.” The FNLC is not an independent political entity or organization. It is not a First Nations government. The FNLC was mandated to focus on the unresolved land question and to promote unity amongst the FNLC, First Nations and First Nations organizations such as the FNHC/FNHA.

On June 24, 2011, the BC Assembly of First Nations endorsed an Accountability Framework as part of the Terms of Reference for the First Nations Leadership Council. Here is an excerpt of that accountability framework that confirms the independence of the BC First Nations Health Governance Structure from the FNLC.

“3. Principles

The FNLC and all Chiefs, leaders, and representatives on councils, working groups, committees and partner organizations that choose to endorse this Accountability Framework agree to uphold the following principles:

3.1. Promote and strive toward unity among the FNLC and councils, working groups, committees and partner organizations in order to best meet the needs of Nations in a coordinated and positive way, to be maintained by open and respectful communication and information sharing.

3.2. Respect and recognition of unique mandates, histories, governance structures, and funding obligations of the FNLC and each council, working group, committee and partner organization.

3.3. FNLC and all council, working group, committee and partner organization operations are community-driven, Nation-based (rooted in Nations as opposed to being imposed by the FNLC or any councils, working groups, committees, or partner organizations), and transparent.”

It is most unfortunate that the FNLC does not appear interested, or it is not capable of upholding their accountability framework and principles approved by Chiefs in June 2011. Through their February 3, 2023 letter and related resolutions, the FNLC has deliberately set out to undermine the stability afforded the FNHA through a ten-year Canada Funding Agreement. This is a matter for BC Chiefs to address at future FNLC assemblies and gatherings.

In closing, we urge you and your department to conclude the negotiations for a 10-year Canada Funding Agreement with the First Nations Health Authority before March 31, 2023. Our members living at home and away from home rely on the support, programs, and services provided by the First Nations Health Council, First Nations Health Authority and the First Nations Health Directors Association.

Respectfully,

STÓ:LŌ TRIBAL COUNCIL



Tribal Chief Tyrone McNeil
President

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c.c.

Wade Grant, Chair, First Nations Health Council
BC First Nations
BC First Nations Leadership Council
Hon. Adrian Dix, BC Minister of Health
Gina Wilson, Deputy Minister, Indigenous Services Canada
Patrick Boucher, Sr. Assistant Deputy Minister, First Nations Inuit Health Branch, ISC
Stephen Brown, Deputy Minister, BC Ministry of Health
Teresa Dobmeier, Associate Deputy Minister, BC Ministry of Health