

June 16, 2023

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Sent Via Email: [ubcic@ubcic.bc.ca](mailto:ubcic@ubcic.bc.ca)

**Re: Resolution no. 2023-39 – A Defamatory Resolution Amounting to Hate Speech**

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**Dear UBCIC Chiefs Council:**

I write as President on behalf of the BC Metis Federation leadership, members, and Metis partner communities throughout the province. BC Metis Federation leadership read with profound disbelief UBCIC Resolution no. 2023-39. It contains several falsehoods, is defamatory, and amounts to hate speech.

The BC Metis Federation can assure the First Nations leadership that we believe the resolution passed by UBCIC will have the effect of confirming the legal definition of hate speech set out in Canadian hate speech laws.

First, let us be clear that we acknowledge the territory of non-treaty and treaty nations within Canada. We understand and respect that First Nations were present prior to European contact, and prior to the emergence of the Metis peoples in Canada. Our existence and co-existence in British Columbia does not jeopardize First Nation rights which are also protected by Section 35 of the *Constitution Act*.

As Metis peoples, we too have Section 35 protected rights, and have exercised effective control of many territories throughout Canada, prior to effective control by various European crowns. British Columbia, as with other provinces, was a cradle to distinct Metis communities in existence prior to the date of effective control by settlers. Your denial of this fact is defamatory and contrary to the historical record of the pacific northwest, north eastern British Columbia, and elsewhere in the Province.

The reality of present day Canada is that it is a tapestry of overlapping and co-existing Indigenous rights and claims to territory. Section 35 First Nation, Metis and Inuit rights are balanced and reconciled against others. As you ought to know, most territories are overlapped and shared. The jurisprudence in this regard is very clear.

In our worldview, we don't envision a zero-sum game. There is, in our view, an ability to co-exist and share the great land we call Canada and British Columbia. By contrast, UBCIC Resolution no. 2023-39 seeks to deny us Section 35 Metis rights and our historical and contemporary use and occupation of lands

and resources in British Columbia. The reality is that the Métis have a historical connection to territory and resources. What else would have sustained our people historically and to the present day?

The BC Métis Federation and our Métis members/partner communities are not colonial imposters, as stated throughout the UBCIC resolution, and have Section 35 rights which are protected by Canada's highest law of the land. The BC Métis Federation has every right to assert our rights in British Columbia.

Resolution no. 2023-39 is wrong and dehumanizing, and reflects an arrogance not held by any Indigenous ancestors, who, like ours, experienced many of the same hardships caused by colonialism including:

- Residential school
- Sixties scoop
- Indigenous missing and murdered women and girls

We have in the past extended our interest in entering into a protocol with your organization. Rather than taking us up on the offer to meet and work for mutual reconciliation, UBCIC has instead made spurious claims and acts with overt intolerance and threats clearly expressed in the approved UBCIC resolution.

Sadly, how quickly those who were once oppressed become themselves oppressors.

Does UBCIC not have more pressing matters to resolve rather than spending time and resources to defame and bully Métis people in BC through the establishment of an all-Chiefs strategy session dedicated to discussing and strategizing around how to perpetuate the denial of Métis Section 35 protected rights?

Further, what exactly do you mean by “*the UBCIC Chiefs Council **forcibly** re-affirms that the Métis hold no land, water, or air-based inherent and constitutionally protected rights or related jurisdiction within BC, and rejects and denounces any and all forms of Métis colonialism in BC and those who facilitate it?*” In light of this statement, I would like to draw your attention to the haunting words of Chief Justice Dickson, who in *R v. Keegstra*, explained the meaning of hatred:

*“Hatred is predicated on destruction, and hatred against identifiable groups therefore thrives on insensitivity, bigotry and destruction of both the target group and of the values of our society. Hatred in this sense is a most extreme emotion that belies reason; an emotion that, if exercised against members of an identifiable group, implies that those individuals are to be despised, scorned, denied respect and made subject to ill-treatment on the basis of group affiliation.”*

The UBCIC resolution, in our Métis community's view, amounts to hate speech. We accordingly demand that you retract your resolution and apologize to the BC Métis Federation for your unscrupulous and self-serving actions which are culturally intolerant, insensitive, and expressly promote ill treatment of our Métis people in BC.

If we do not receive an apology within 14 days of the date of this letter, we will explore all human rights/legal options available to us to combat the UBCIC hate speech and hateful actions.

In closing, BC Metis Federation leadership will not accept any actions that demeans and attacks Metis people. This UBCIC resolution is racist and could incite First Nation individuals who are UBCIC supporters to perpetuate anti Metis actions.

We will do all we can to protect our Metis members. There are more appropriate ways to have civil debate and it starts with mutual respect.

Thank you,



Keith Henry  
President

cc: BC Metis Federation Board  
BC Metis Federation Partner Communities  
BC Metis Federation Members  
Clark Wilson LLP, Legal Counsel  
Media