
Assembly of First Nations

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Assemblée des Premières Nations

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ANNUAL GENERAL ASSEMBLY
July 23, 24 & 25, 2019, FREDERICTON, NB

Resolution no. 30/2019

TITLE: *An Act respecting First Nations, Inuit and Metis children, youth and families – Support for a British Columbia specific approach to transition and implementation planning*

SUBJECT: Social Development, Child Welfare

MOVED BY: Kukpi7 Wayne Christian, Splastin, BC

SECONDED BY: Chief Elaine Johnston, Serpent River First Nation, ON

DECISION: Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. Article 2: Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity
 - ii. Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
 - iii. Article 22 (2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.
- B. On June 21, 2019, *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act) received Royal Assent in the House of Commons. This Act affirms the inherent rights of First Nations over the care and welfare of their children and upholds the minimum human rights standards as contained within the UN Declaration.

Certified copy of a resolution adopted on the 25th day of July 2019 in Fredericton, New Brunswick


PERRY BELLEGARDE, NATIONAL CHIEF

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- C. The First Nations Leadership Council, (FNLC) comprised of political executives of the British Columbia (BC) Assembly of First Nations, First Nations Summit, and the Union of BC Indian Chiefs, and represents the 203 First Nations in BC. The FNLC takes direction from title and rights holders regarding advocacy and supporting the implementation of inherent First Nations title and rights.
- D. The FNLC was directed by resolutions from BC First Nations through each of the assemblies of the BC Assembly of First Nations, First Nations Summit, and BC Assembly of First Nations, to reform the current Indigenous child welfare system in BC. This includes working with federal and provincial governments to develop First Nations-supported legislation, policies, and practices that support and affirm child welfare laws, policies and practices in place since time immemorial.
- E. On April 4, 2017, the FNLC signed a Reconciliation Charter with the Province of BC and Canada that committed the parties to work in partnership to implement First Nations Child Welfare Reform via a Tripartite Working Group (TWG).
- F. BC First Nations want to ensure a BC-specific transition and implementation strategy is upheld and respected, based on the affirmation of self-determination and self-governance of First Nations who will make their own choices and preferences regarding the implementation of reforms to suit the needs of their children, youth and families.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Call on Canada and the Governor-in-Council to immediately bring all sections of *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act) into force.
2. Call upon on Canada to support and fund a British Columbia (BC) First Nations specific approach for transition and implementation of the Act, by working through the already established Tripartite Working Group in a manner that:
 - a. Upholds the direction at other nation-building tables.
 - b. Is consistent with the affirmation of the inherent right of self-determination as affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples*.
3. Direct Canada and the Assembly of First Nations (AFN) to ensure that established Nation-to-Nation and First Nations regional tables shall be prioritized over a national table when developing any implementation plan for the Act.

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4. Direct Canada and the AFN to ensure that any national implementation process or mechanism related to the Act should ensure:
 - a. Transparency and accountability in all activities.
 - b. First Nations rights and title holders freely determine the scope and focus of implementation activities so that no other regional agency or national organization can decide on the implementation pathway in BC without the consent of First Nations of BC.

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