



BRITISH COLUMBIA ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING

Resolution 18/2019

Musqueam Community Centre, Xʷməθkʷəy̓əm, Vancouver, BC
September 18-20, 2019

SUBJECT: SUPPORT FOR THE FIRST NATIONS LEADERSHIP COUNCIL MEMORANDUM OF UNDERSTANDING WITH THE REPRESENTATIVE FOR CHILDREN AND YOUTH BRITISH COLUMBIA

MOVED BY: CHERYL CASIMER, PROXY, ʔAQAM

SECONDED BY:

DECISION:

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples*, which the government of Canada has adopted without qualification, and has, alongside the government of BC committed to implement, affirms:

Article 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions;

Article 21(2): States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

- B. The First Nations Leadership Council has been directed by resolution from First Nations to wholly reform the current Indigenous child welfare system in BC, including working with federal and provincial governments to develop First Nations-supported legislation, policies, and practices that recognize and affirms Indigenous child welfare systems;

- C. The Representative for Children and Youth (“the Representative”) has a mandate, as legislated through the *Representative for Children and Youth Act*, [SBC 2006], c29, to provide individual and systemic advocacy for children, youth and young adults, conduct independent reviews and investigations and to monitor, review, and publicly report on designated services for children and youth;
- D. The data and data collection mechanisms held by the Representative can assist and support First Nations in the transition to resumption of their full and inherent jurisdiction over child and family services;
- E. It has been shown that children and youth in care have higher rates of critical injury and death by all causes, including suicide; achieve lower educational outcomes than their peers; have a greater likelihood of incarceration; and are more likely to enter the criminal justice, welfare, and mental health systems as adults;
- F. Over 50% of the children and youth in care in BC are Indigenous, creating a necessity for First Nations to work in partnership with the Representative to identify and address key issues pertaining to First Nations children and youth in care in BC;
- G. In 2007, the First Nations Leadership Council signed a Memorandum of Understanding with the Representative at that time, which has since become dormant;
- H. A draft Memorandum of Understanding between the BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs, working collectively as the First Nations Leadership Council, and the Representative for Children and Youth has been developed to establish a renewed process for dialogue and cooperation.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly direct the BC Regional Chief to support the attached draft Memorandum of Understanding between the BC Assembly of First Nations, First Nations Summit and Union of BC Indian Chiefs, working collectively as the First Nations Leadership Council, and the Representative for Children and Youth, and direct the BC Regional Chief to sign on behalf of the BC Assembly of First Nations; and
2. The BCAFN Chiefs-in-Assembly direct the BC Regional Chief, working with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council, and the Representative for Children and Youth to provide regular reports to the BCAFN Chiefs-in-Assembly on the ongoing collaborative objectives and efforts as identified in the attached Memorandum of Understanding.