

# First Nations Summit

## RESOLUTION #1019.07

**SUBJECT: CALL TO ACTION TO CEASE AN ONGOING PRACTICE OF IMMEDIATE REMOVAL OF NEWBORNS FROM THEIR PARENTS POSTNATAL**

- A. In Indigenous women and families are frequently and disproportionately targeted by the practice of hospital alerts, which involves targeting and removing newborn infants from their parents immediately postnatal.
- B. The removal of a newborn infant at birth is one of the most intrusive measures that can be taken and has profound and lasting impacts upon the emotional and physical bond between parents and their children.
- C. The Truth and Reconciliation Commission's (TRC) 94 Calls to Action, which have been supported by the First Nations Chiefs and leadership of BC and Canada, call upon all governments to address the colonial legacy and humanitarian crisis created by child welfare through the systematic removal of children from their parents, families and communities, and subsequent denial of their rights.
- D. The National Inquiry into Missing and Murdered Indigenous Women and Girls' Calls for Justice, which "represent important ways to end the genocide and to transform systemic and societal values that have worked to maintain colonial violence," called upon provincial and territorial governments to immediately end the practice or targeting and apprehending infants from Indigenous mothers right after they give birth.
- E. 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 states:

“Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

**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.

**Article 7(2):** Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

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**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.

**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;”

- F. The Ministry of Children and Family Development (MCFD) has committed to cease the practice of “Birth Alerts” which involve an alert being placed on a mother prenatal, however, this does not address or prevent an alert and subsequent removal of the child once a mother has given birth.
- G. An Act respecting First Nations, Inuit and Métis children, youth and families, which received Royal Assent on June 21st, 2019, places priority on preventative and prenatal care:

**14(1):** In the context of providing child and family services in relation to an Indigenous child, to the extent that providing a service that promotes preventive care to support the child’s family is consistent with the best interests of the child, the provision of that service is to be given priority over other services.

**14(2):** To the extent that providing a prenatal service that promotes preventive care is consistent with what will likely be in the best interests of an Indigenous child after he or she is born, the provision of that service is to be given priority over other services in order to prevent the apprehension of the child at the time of the child’s birth.

- H. Each First Nation has the right to determine and develop their own child, youth and family safety and well-being models, legislation, regulations, policies and practice standards, and fully supported any and all First Nations in exercising their respective jurisdiction and authority over the care and well-being of their children, youth and families.

**THEREFORE BE IT RESOLVED:**

1. That the First Nations Summit Chiefs in Assembly fully support First Nations in the exercise of their inherent rights of self-determination and self-government, and their inherent right to care for their children, youth, and families.
2. That the First Nations Summit Chiefs in Assembly direct the First Nations Summit Task Group to work with the BC Assembly of First Nations and the Union of BC Indian Chiefs as the First Nations Leadership Council (FNLC) to:
  - a. call upon British Columbia to take concrete and immediate actions to address institutional and systemic bias suffered by Indigenous mothers and families; and
  - b. work with British Columbia to co-develop and implement a comprehensive strategy to immediately address the ongoing practice of removing Indigenous newborns from their parents and increase accountability measures for social workers and healthcare professionals.

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3. That the First Nations Summit Chiefs in Assembly call upon Canada and British Columbia to implement a strategic funding strategy with a focus on prenatal and prevention services for new and expectant Indigenous parents.

**MOVED BY:** Councillor Hugh Braker, Tseshah First Nation

**SECONDED BY:** Robert Morales, Hul'qumi'num Treaty Group

**DATED:** October 18, 2019

Passed by consensus.

**ENDORSED BY:**



Cheryl Casimer



Robert Phillips



Lydia Hwitsum