

OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
55TH ANNUAL GENERAL ASSEMBLY
OCTOBER 4TH TO 6TH, 2023

CARIBOO MEMORIAL RECREATION COMPLEX, WILLIAMS LAKE (SECWPEMC TERRITORY)

Resolution no. 2023-56

RE: Support for Indigenous Child and Family Services Directors Our Children Our Way Society

WHEREAS First Nations have an inherent right of self-determination including jurisdiction relating to the children and families of those Nations;

WHEREAS First Nations' inherent right of self-determination will only be achieved through the recognition of our inherent jurisdiction for our children and families, and our children and families are the cornerstone of our Nations' futures;

WHEREAS under an interim delegation model, over 120 First Nations communities (over 60% of the First Nations communities in B.C.) created their own Indigenous Child & Family Services agencies;

WHEREAS the 120+ First Nations communities affiliated with an Indigenous Child & Family Services agency have endorsed their agencies through Band Council Resolutions as their child & family service providers as an interim measure while they determine their pathways to resume jurisdiction and stand up their respective laws, legal orders and inherent and treaty rights regarding their children;

WHEREAS those Indigenous Child & Family Services agencies have operated for decades under colonial legislation and with inadequate funding, they have nonetheless developed culturally based programs and services to support wellness among First Nations children and families;

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WHEREAS First Nations have accumulated extensive experience and expertise through the operation of their Indigenous Child & Family Services agencies and benefit from the broad-based expertise and mutual support of the Indigenous Child & Family Services Directors Our Children Our Way Society;

WHEREAS those First Nations that remain unaffiliated with an Indigenous Child & Family Services agency have not been supported to develop their own expertise in the development of child and family services;

WHEREAS the Indigenous Child & Family Services Directors Our Children Our Way Society has created a Secretariat to provide centralized support for operations, practice, governance and research related to Indigenous child & family services, and is building the Secretariat into a regional centre for excellence in Indigenous child & family services;

WHEREAS the Indigenous Child & Family Services Directors Our Children Our Way Society has expanded its membership criteria to include Nations not affiliated with an ICFSD agency, and membership remains optional for First Nations;

WHEREAS in 2017, the Government of Canada (represented by Indigenous Services Canada (ISC)), the Government of British Columbia (represented by the Ministry of Children and Family Development (MCFD)), and the B.C. Assembly of First Nations (BCAFN), the First Nations Summit (FNS) and the Union of B.C. Indian Chiefs (UBCIC), working collectively as the First Nations Leadership Council (FNLC) signed a Reconciliation Charter that committed the parties to work in partnership to achieve First Nations child welfare reform via a Tripartite Working Group (TWG) made up of Canada, the Province, and the FNLC to implement concrete actions to support legislative reform, program and policy development and an effective fiscal model to support First Nations children and families in B.C.;

WHEREAS 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 B.C., passed legislation committing to implement, affirms:

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.

Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

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.

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Article 40: Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights;

WHEREAS through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2017-06, FNS Resolution #0217.19, BCAFN Resolution 06/2017) the Chiefs in B.C. endorsed and supported the work on Child Welfare reform under the Tripartite process between B.C., Canada, and the BCAFN, FNS, and UBCIC, working together as the FNLC, and effectively and fully collaborating with First Nations Sectoral Councils, Delegated Agencies, and the First Nations Directors Forum; and

WHEREAS in June 2023, Chiefs supported the development of a long-term funding agreement, that ensures the holistic transformation of First Nations Child and Family Services (FNCFS) to a new fiscal framework, which supports First Nations resumption of jurisdiction over their children and families and realizes the intention and spirit of the UN Declaration and recent legislation and judicial decisions, through UBCIC Resolution 2023-26.

THEREFORE BE IT RESOLVED the UBCIC Chiefs-in-Assembly recognize that First Nations have exercised their inherent self-determination and jurisdiction over their children since time immemorial and must have full control over the delivery of services for their children. The UBCIC Chiefs-in-Assembly uphold the ongoing work of traditional Knowledge Keepers and communities, and call for Nations to have full control over all funding for children and families service delivery to their communities;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly recognize the Indigenous Child & Family Services Directors Our Children Our Way Society as an additional source of expertise in the development and delivery of Indigenous child & family services to support First Nations communities in establishing their own services;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly direct the UBCIC, working with the B.C. Assembly of First Nations (BCAFN) and First Nations Summit (FNS) as the First Nations Leadership Council (FNLC) and with B.C. and Canada as the Tripartite Working Group on Children and Families (TWG), to support the Our Children Our Way Society in their work to be an optional resource available to support all First Nations in B.C. in accessing and delivering culturally-based child & family services;

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs-in-Assembly call on Canada and B.C. to provide the resources needed for the Indigenous Child & Family Services Directors Our Children Our Way Society to provide operations, practice, governance and research support to all First Nations in B.C. who wish to access services from the Our Children Our Way Society, while continuing to fund First Nations who wish to access these supports in other ways; and

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THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs-in-Assembly call on the UBCIC, working with BCAFN and FNS as the FNLC, and Canada and British Columbia as the TWG, to collaborate with the Indigenous Child and Family Services Directors Our Children Our Way Society in the TWG's ongoing work planning for the resumption of jurisdiction by Nations including developing policy and fiscal frameworks required for this resumption of jurisdiction.

Moved: Judy Wilson, Skawahlook First Nation (Proxy)
Seconded: Kukpi7 Stu Jackson, Lower Nicola Indian Band
Disposition: Carried
Date: October 6, 2023

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