

# OUR LAND IS OUR FUTURE

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

CARIBOO MEMORIAL RECREATION COMPLEX, WILLIAMS LAKE (SECWPEMC TERRITORY)

**Resolution no. 2023-57**

**RE: Declaration of the Rights of Indigenous Children and Day of Action Against Discrimination**

**WHEREAS** since time immemorial, First Nations successfully used traditional systems of care to ensure the safety and well-being of their children;

**WHEREAS** Canada and British Columbia's colonial laws and policies have specifically targeted First Nations children and the family structures they are nested within;

**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.

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**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;

**WHEREAS** those colonial laws and policies, implemented via the residential school system and subsequently the child welfare system, have devastated our cultures and our family life;

**WHEREAS** Canada's own Minister of Indigenous Services has referred to the impact of the child welfare system on First Nations families as a "humanitarian crisis;"

**WHEREAS** our children continue to suffer and die within the colonial child welfare system;

**WHEREAS** Canada was found to have knowingly discriminated against First Nations children and families in the funding of First Nations child & family services, and was ordered by the Canadian Human Rights Tribunal to end that discrimination and to compensate the victims of discrimination;

**WHEREAS** the Representative for Children & Youth has found that British Columbia continues to perpetrate the same type of discrimination against Indigenous children in the funding of off-reserve child & family services;

**WHEREAS** Canada ratified the United Nations Convention on the Rights of the Child in 1991, and in 2021 passed the *United Nations Declaration on the Rights of Indigenous Peoples Act* which affirms the declaration as an international human rights instrument, which includes provisions specific to children;

**WHEREAS** British Columbia has not developed or ratified a provincial child rights framework but has passed the *Declaration on the Rights of Indigenous Peoples Act*;

**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** the B.C. Office of the Representative for Children and Youth has demonstrated a strong commitment to protecting and upholding the rights of First Nations children; and

**WHEREAS** the watershed commitment made by the Province of British Columbia in 2002 in support of the Tsawwassen Accord must be reaffirmed given the urgency of the humanitarian crisis in the child welfare system.

**THEREFORE BE IT RESOLVED** the UBCIC Chiefs-Assembly direct the UBCIC Executive working with the First Nations Summit and B.C. Assembly of First Nations as the First Nations Leadership Council (FNLC) and in collaboration with the B.C. Representative for Children and Youth to develop a Declaration on the Rights of First Nations Children that is consistent with Declarations that Nations have

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put in place on the rights of their children, including expediting recognition of status for those children and youth who are waiting, to bring back to the UBCIC Chiefs Council for consideration; and

**THEREFORE BE IT FINALLY RESOLVED** the UBCIC Chiefs-Assembly designate Universal Children's Day (November 20, 2023) as a Day of Action to end discrimination against First Nations children, including B.C.'s ongoing discrimination in the funding of off-reserve child & family services.

**Moved:** Judy Wilson, Skawahlook First Nation (Proxy)  
**Seconded:** Chief Arnold Lampreau, Shackan Indian Band  
**Disposition:** Carried  
**Date:** October 6, 2023

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