

FIRST NATIONS SUMMIT

RESOLUTION #0907.15

SUBJECT: SUPPORT FOR A FIRST NATIONS LEADERSHIP COUNCIL "CHILD AT THE CENTRE" CHIEFS' FORUM

WHEREAS

- A. In June 2002, in response to a decision of the Province to delegate most functions of the MCFD to new "blended regional authorities" (to be established by legislation) Aboriginal political bodies, including the UBCIC, Metis Nation of BC, United Native Nations and the First Nations Summit, and delegated service agencies voiced their unequivocal rejection of "blended authorities" as they would further entrench a legal/policy framework which does not reflect the Aboriginal peoples' inherent jurisdiction respecting their children and families. Aboriginal organizations instead supported "Regional Aboriginal Authorities" and, in June 2002, the *Tsawwassen Accord* among Aboriginal parties was developed. (see First Nations Summit Resolution (#0602.09).
- B. Shortly after the *Tsawwassen Accord*, a Memorandum of Understanding was signed on September 9, 2002 (MOU), between the Aboriginal political organizations and the Province, supported by certain Aboriginal service delivery agencies. This MOU established the Joint Aboriginal Management Committee (JAMC). Provincial and regional structures and mechanisms were then developed to develop plans and legislation for the creation of aboriginal authorities – including five Regional Planning Committees ("Planning Committees"), a joint Chairs Caucus ("Aboriginal Caucus Chairs" or "ACC), a secretariat and various working groups and committees.
- C. Over the course of the past 5 years, a number of JAMC forums have been held to discuss the regionalization process and development of Regional Aboriginal Authorities through the establishment of enabling legislation. Through this, important issues have been discussed and efforts have been made to build relationships. A Request for Legislation was submitted in August 2007 as a marker for legislation to be introduced to the provincial Legislature in spring 2008.
- D. A number of political developments have occurred within the past few years that provide a new political landscape – and new opportunities – for advancing common issues.
- In 2005, the political Executives of the First Nations Summit, Union of BC Indian Chiefs and BC Assembly of First Nations (the "First Nations Leadership Council") signed on March 17th a *Leadership Accord*, committing to work together to formalize a cooperative working relationship of the Parties to politically represent the interests of First Nations in British Columbia and develop strategies and actions to bring about significant and substantive changes to government policy that will benefit all First Nations in British Columbia.

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- In March 2005, the Province and First Nations in British Columbia developed the New Relationship Vision, agreeing government-to-government relationship based on respect, recognition and accommodation of Aboriginal title and rights and reconciliation of co-existing titles and jurisdictions. The parties acknowledged the "historical Aboriginal-Crown relationship in British Columbia has given rise to the present socio-economic disparity between First Nations and other British Columbians" and agreed to "work together in this new relationship to achieve strong governments, social justice and economic self-sufficiency for First Nations that will be of benefit to all British Columbians and will lead to long-term economic viability."
- On May 31, 2005, A *First Nations-Federal Crown Political Accord on the Recognition and Implementation of First Nation Governments* was signed between the Assembly of First Nations (AFN), on behalf of First Nations, and Indian and Northern Affairs Canada (INAC) on behalf of the Government of Canada. It commits the parties to work jointly to promote meaningful processes for reconciliation and implementation of constitutionally recognized aboriginal rights with First Nation Governments to achieve an improved quality of life and to support policy transformation in other areas of common interest.
- On November 25, 2005, at the conclusion of the First Ministers' Meeting on Aboriginal Issues held in Kelowna, BC, the tripartite *Transformative Change Accord* was signed by former Prime Minister Paul Martin, Premier Gordon Campbell and the members of the First Nations Leadership Council, the Government of Canada, and the Province of British Columbia. The *Accord* commits the parties to efforts to close the socio-economic gap between First Nations and other British Columbians over the next 10 years, reconcile Aboriginal title and rights with Crown title, and establishes a new relationship based on mutual respect and recognition.
- In August 2007, the Minister of Indian Affairs and Northern Development, and Minister of Aboriginal Relations and Reconciliation, committed to work with the First Nations Leadership Council to develop a tripartite political accord to address: Comprehensive Claims (policy, fiscal resources and structure), Specific Claims (policy, fiscal resources and structure) and "quality of life" issues (health, children and families, fisheries, etc).
- On September 13, 2007, the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) was adopted at the UN General Assembly - it recognizes that Indigenous peoples have a right of self-determination under international law, which includes rights to autonomy in relation to internal affairs, and rights to freely determine their political status and pursue economic, social and cultural development. The Declaration includes the following Articles:

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- i. Recognizing 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,
 - ii. 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.
 - iii. 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.
 - iv. 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.
- E. To develop common, collective visions and action plans on various subjects, the First Nations Leadership Council has held forums whereby Chiefs can discuss issues, develop strategies and finalize action plans to advance those issues (e.g. Mountain Pine Beetle, Energy, Fisheries, Health and Justice).
- F. When Aboriginal organizations first finally came together in cooperation, it was for the benefit of our children under the *Tsawwassen Accord*. With the establishment of the First Nations Leadership Council, the various political developments, the adoption of the UNDRIP, the progress toward Interim Authority and Regional Aboriginal Authorities, and the expiration and discussion of renewal of the JAMC MOU - it is fitting that a First Nations Action Plan be developed regarding Children and Families broadly to set out a vision, principles, key topics and actions for assisting First Nations to address and advance issues related to children and families.
- G. A "child at the centre" approach to issues will help to promote greater cooperation and achievement of progress among all parties.

THEREFORE BE IT RESOLVED

That the First Nations Summit Chiefs in Assembly direct:

- a. the Task Group to work with the other members of the First Nations Leadership Council to convene a "First Nations Child at the Centre Chiefs' Forum" in fall 2007 to bring together Chiefs/leaders, along with key political and technical partners, to review, discuss and finalize a *First Nations Child at the Centre Action Plan*, which will set out a vision, principles, key topics and actions assisting First Nations to address and advance issues related to children and families,

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- b. that the Forum follow the same format as previous First Nations Leadership Council forums (i.e. information sharing, review and discussion of "Discussion Paper" prepared in advance, finalization of Discussion Paper into an Action Plan, and review and endorsement by Chiefs in Assembly), and
- c. that the Task Group, working with other members of the First Nations Leadership Council, seek resources to support this Forum.

MOVED BY: Chief Joe Tom, Hesquiaht First Nation
SECONDED BY: Chief Sophie Pierre, St. Mary's Band
DATE: September 28, 2007

Passed by consensus.

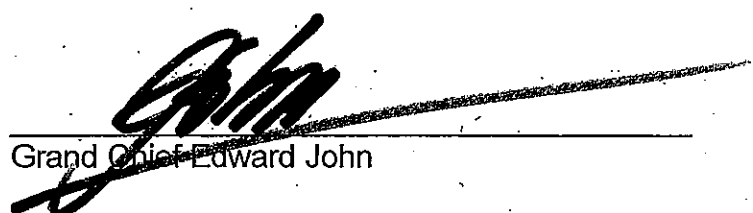
ENDORSED BY:



Chief Judith Sayers



Dave Porter



Grand Chief Edward John