



## BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road  
Prince George, BC V2K 5S3  
Website: [www.bcafn.ca](http://www.bcafn.ca)

**BCAFN SPECIAL CHIEFS ASSEMBLY**

**February 26 & 27, 2024**

**Online via Zoom**

**Resolution 06/2025**

**SUBJECT: B.C. PATHWAY FOR LONG-TERM REFORM OF FIRST NATIONS CHILD AND FAMILY SERVICES AND JORDAN'S PRINCIPLE**

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**Moved BY: CHIEF DON TOM, TSARTLIP FIRST NATION**

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**SECONDED BY: SEMPULYAN STEWART GONZALES, PROXY, SQUAMISH NATION**

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**DECISION: CARRIED**

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**WHEREAS:**

- A. First Nations title and rights holders have the inherent right to self-determination, which includes jurisdiction over our children and families as constitutionally protected under Section 35 of the Constitution Act, 1982 and described in the *United Nations Declaration on the Rights of Indigenous Peoples*;
- B. in *First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2, the Canadian Human Rights Tribunal found Canada was discriminating against First Nations children and their families by failing to implement the full scope of Jordan's Principle and denying First Nations children the equal provision of child and family services, and ordered Canada to stop its discriminatory policies and practices;
- C. 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:

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**Terry Teegee, BC Regional Chief**

**Article 21(2):** States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of (indigenous peoples') 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(1):** Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

**(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.

**Article 24(2):** Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right;

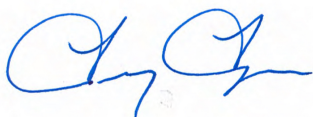
- D. on October 9, 2024, through BCAFN Resolution 23/2024, the BCAFN Chiefs-in-Assembly called on AFN to pause negotiations on the draft Final Settlement Agreement on the long-term reform of the First Nations Child and Family Services Program dated July 11, 2024, which was subsequently rejected by the First Nations-in-Assembly on October 18, 2024 through AFN Resolution 60/2024;
- E. a National Children's Chiefs Commission has been established by AFN Resolution 60/2024 to provide direction and oversight to renewed national negotiations on long-term reform of First Nations Child & Family Services and Jordan's Principle;
- F. on February 10, 2025, Canada, the Chiefs of Ontario and the Nishnawbe Nation announced they had reached an Ontario-specific draft final settlement on long-term reform of First Nations Child & Family Services;
- G. Canada has stated it does not have a mandate to engage on further negotiations of long-term reform of First Nations Child & Family Services at the national level; and
- H. First Nations in B.C. are being forced to delay the exercise of their inherent jurisdiction while they advocate for adequate funding, while First Nations children and families continue to experience harm in the existing child welfare system.

**THEREFORE BE IT RESOLVED THAT:**

1. the BCAFN Chiefs-in-Assembly recognizes that the inherent right of jurisdiction over children and families is held by First Nations and fully supports ensuring a B.C. First Nation specific

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process for the long-term reform of First Nations Child & Family Services and Jordan's Principle that recognizes the distinct realities faced by First Nations in B.C.;

2. the BCAFN Chiefs-in-Assembly directs the Regional Chief, working with the First Nations Summit and the Union of B.C. Indian Chiefs as the First Nations Leadership Council, to advance and advocate for a B.C. First Nation specific pathway for long-term reform of First Nations Child and Family Services and Jordan's Principle including:
  - Engaging with Canada to explore a path forward on a B.C. First Nation specific agreement on the long-term reform of First Nations Child and Family Services and Jordan's Principle.
  - Ensuring the free, prior and informed consent of First Nations in B.C. is sought in the development of any regional addendums to the national agreements negotiated by the National Children's Chiefs Commission.
  - Requesting transparent and regular updates by the National Children's Chiefs Commission to the BCAFN Chiefs-in-Assembly on the progress of all meetings and negotiations, including after negotiations; and
3. the BCAFN Chiefs-in-Assembly calls on Canada to take all steps necessary to ensure First Nations children and families in B.C. are adequately supported, and to immediately engage in good faith discussions with B.C. First Nations on long-term reform.

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