



## BC ASSEMBLY OF FIRST NATIONS

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**BCAFN ANNUAL GENERAL MEETING**  
**October 28, 29 & 30, 2025**  
**Hybrid - In person & online via Zoom**

**Resolution 27/2025**

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**SUBJECT:** **SUPPORT FOR REGIONAL CONSULTATION ON LONG-TERM REFORM OF FIRST NATIONS CHILD AND FAMILY SERVICES**

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**MOVED BY:** **KUKPI7 RHONDA PHILLIPS, XATSÜLL FIRST NATION**

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**SECONDED BY:** **MARY TEEGEE, PROXY, TAKLA FIRST NATION**

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**DECISION:** **CARRIED**

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**WHEREAS:**

- A. 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 Merit Decision), the Canadian Human Rights Tribunal (the 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;
- B. Since the 2016 Merit Decision, the Tribunal has issued numerous procedural and non-compliance orders against Canada. The case (numbered T1340/7008) is ongoing, and the Tribunal retains jurisdiction over these orders;
- 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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**Certified copy of a resolution adopted on the 29<sup>th</sup> day of October 2025**

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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.

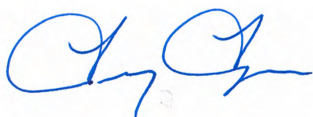
Article 22(2): States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

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 July 11, 2024, Canada, AFN, the Chiefs of Ontario ("COO"), and Nishnawbe Aski Nation ("NAN") announced the completion of a draft Final Settlement Agreement ("FSA") to resolve the systemic discrimination in FNCFS;
- E. On September 25, 2024, through UBCIC Resolution no. 2024-49, the UBCIC Chiefs-in-Assembly rejected the draft Final Settlement Agreement (FSA) on the long-term reform of Canada's First Nations Child and Family Services (FNCFS) program dated July 11, 2024, which was negotiated between AFN, Canada, and two First Nations interested parties to the Tribunal (the Chiefs of Ontario (COO) and Nishnawbe Aski Nation (NAN));
- F. On October 18, 2024, through Assembly of First Nations (AFN) Resolutions nos. 60/2024 and 61/2024, First Nations-in-Assembly rejected the draft FSA along with the proposed amendments released on or about October 7, 2024, and called for the establishment of a National Children's Chiefs Commission (NCCC) with representation appointed by every region, and a mandate to provide strategic direction and oversight of the long-term reform agreement negotiations, as well as to establish a negotiation team and a new legal team responsible for carrying out the negotiations;
- G. On January 6, 2025, Canada announced that it would shortly begin negotiating an agreement specific to Ontario with COO and NAN and that its mandate did not permit further negotiations on reform of the FNCFS program on a national basis;
- H. On January 14, 2025, the First Nations Child and Family Caring Society (Caring Society) filed a motion (amended on January 27, 2025) with the Tribunal to try and address Canada's failure to negotiate nationally on FNCFS reform. The Motion seeks an order directing consultation between Canada, the AFN and the Caring Society on the national long-term reform of FNCFS and Jordan's Principle;

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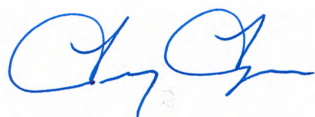
- I. On February 26<sup>th</sup>, 2025, the BCAFN Chiefs-In-Assembly passed Resolution 06/2025 concerning a BC-specific pathway on Long-Term Reform of First Nations Child and Family Services and recognition of the unique needs and inherent rights of First Nations in BC;
- J. On February 27<sup>th</sup>, 2025, BCAFN Chiefs-In-Assembly passed resolution 20/2025 in support of the National Children's Chiefs Commission and its mandate to negotiate a national agreement on Long-Term Reform of First Nations Child and Family Services;
- K. On July 16, 2025, Canada has provided a non-committal response to FNLC's March 17, 2025, correspondence asking if Canada was open to considering B.C.-specific negotiations on the long-term reform of FNCFS and Jordan's Principle;
- L. On August 20<sup>th</sup>, 2025, the Canadian Human Rights Tribunal issued 2025 CHRT 80, which affirmed that the order against Canada to cease its discriminatory practices was designed to safeguard multiple generations of First Nations children and families, that Canada cannot contract out of or amend this order through agreements, and that long-term reform remedies must respect the spirit of Tribunal findings and orders, Children's rights, First Nations rights, and be based on the best available evidence;
- M. In 2025 CHRT 80, the Canadian Human Rights Tribunal ruled that within four months of the date of its ruling (December 20<sup>th</sup>, 2025), the Caring Society and the AFN must consult with the National Children's Chiefs Commission, First Nations Chiefs, and other experts, including First Nations and First Nations organizations outside Ontario, as well as those that have filed interested party motions, to develop an evidence-based, comprehensive National FNCFS long-term reform plan and requested remedies outside Ontario;
- N. On September 4<sup>th</sup>, 2025, the AFN First Nations-in-Assembly passed AFN Resolution 52/2025, *Approving Terms of Reference for FNCFS and Jordan's Principle Tables*, thereby approving the terms of reference of the NCCC and the NCCC Negotiation Team and supporting the NCCC to continue its work in developing a National FNCFS Long-Term Reform Plan with regional variations; and
- O. To inform the National FNCFS Long-Term Reform Plan and ensure regional perspectives and interests are included, the NCCC and other parties are initiating a regional engagement strategy to solicit input from First Nations.

**THEREFORE BE IT RESOLVED THAT:**

- 1. The BCAFN Chiefs-in-Assembly support the National Children's Chiefs Commission's (NCCC) development of a national plan for the long-term reform of the First Nations Child and Family Services (FNCFS) program and Jordan's Principle informed by meaningful consultation with First Nations in B.C.;

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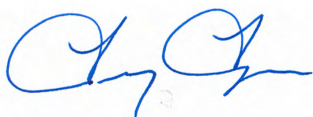
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2. The BCAFN Chiefs-in-Assembly invite the B.C. NCCC representatives to provide regular updates and to seek the support of the BCAFN Chiefs-in-Assembly prior to any substantive changes in their approach to long-term reform;
3. The BCAFN Chiefs-in-Assembly call on Canada to establish a BC-specific table to inform and support negotiations on long-term reform and address the unique needs and realities of First Nations in BC; and
4. The BCAFN Chiefs-in-Assembly direct the Regional Chief, working with the First Nations Summit and the Union of BC Indian Chiefs as the First Nations Leadership Council, to support the NCCC in consulting with BC First Nations on the development of a national plan.

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