BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL MEETING
October 14, 15 & 16, 2026
In person & online via Zoom

Resolution 23(d)/2026

SUBJECT: **BC JORDAN'S PRINCIPLE OVERSIGHT COMMITTEE**

MOVED BY:

SECONDED BY:

DECISION:

WHEREAS:

A. Jordan's Principle is a legal obligation designed to ensure that First Nations children receive equitable, timely, and culturally appropriate services without delay, denial or disruption due to jurisdictional disputes between governments;

B. in 2007, the First Nations Child and Family Caring Society (Caring Society) and the Assembly of First Nations (AFN) lodged a discrimination complaint with the Canadian Human Rights Commission and the House of Commons of Canada unanimously adopted a motion called Jordan's Principle in order to prevent First Nations children from being denied essential public services or experiencing unreasonable delays in receiving such services;

C. Jordan's Principle is recognized as a legal obligation designed to ensure that First Nations children receive equitable, timely, and culturally appropriate services without delay, denial or disruption due to jurisdictional disputes between governments;

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D. demand for Jordan's Principle supports has grown significantly over time, reflecting long-standing and unaddressed service gaps across federal and provincial systems in areas such as health, education, disability supports, housing-related needs, and culturally grounded programming;

E. over the past two years, ISC has imposed funding and operational constraints on the implementation of Jordan's Principle which are contributing to: substantial decreases in approvals; increased escalation of requests to national review levels; and expanding gaps across key service areas;

F. existing Jordan's Principle governance bodies are often advisory rather than determinative and are unable to effectively uphold the intent of Canadian Human Rights Tribunal orders to ensure accountability in implementation;

G. in British Columbia, the current failures in ISC's implementation of Jordan's Principle point to the need for a coordinated, assertive and rights-based regional advocacy approach led by First Nations leadership and coordinated with national advocacy and governance bodies, including the Assembly of First Nations, the National Children's Chiefs Commission and the First Nations Child & Family Caring Society; and

H. 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 18: Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision- making institutions.

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;

I. 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), following the

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AFN's and the Caring Society's 2007 complaint, the Canadian Human Rights Tribunal (CHRT) 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 and to take immediate measures to implement the full meaning and scope of Jordan's Principle;

J. by Resolutions 23/2024, 06/2025 and 27/2025, the BCAFN Chiefs-in-Assembly advocated for the Merit Decision and subsequent CHRT orders to be upheld;

K. following BCAFN Chiefs-in-Assembly's direction per Resolution 23/2024, the Regional Chief worked with the First Nations Summit and the Union of B.C. Indian Chiefs, as the First Nations Leadership Council, to intervene as an interested party in the Caring Society's motion regarding Canada's willful and chronic failure to adhere to the CHRT's orders on Jordan's Principle before the CHRT; and

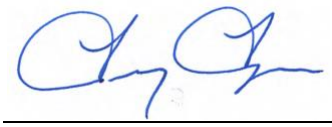
L. in British Columbia, the current failures in ISC's implementation of Jordan's Principle point to the need for a coordinated, assertive, and rights-based regional advocacy approach led by First Nations leadership and coordinated with national advocacy and governance bodies, including the Assembly of First Nations, the National Children's Chiefs Commission and the Caring Society.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly work with the Union of BC Indian Chiefs and the First Nations Summit, as the First Nations Leadership Council to establish, pending funding support, a BC Jordan's Principle Oversight Committee to lead Jordan's Principle advocacy that includes:
    - Advancing a rights-based, needs-driven funding model for Jordan's Principle
    - Strengthening enforcement and monitoring of CHRT compliance in the implementation of Jordan's Principle
    - Establishing a Jordan's Principle appeals process that meets CHRT-established minimum standards of independence, accessibility, timeliness, transparency, and both professional and Indigenous expertise
    - Reasserting and expanding First Nations governance of Jordan's Principle
    - Enhancing regional monitoring, data collection and evidence-based advocacy
    - Aligning regional and national advocacy and negotiation efforts
    - Preparing for long-term system transformation and jurisdictional shifts.

2. the BCAFN Chiefs-in-Assembly direct the Regional Chief to work with the First Nations Summit and the Union of B.C. Indian Chiefs, as the First Nations Leadership Council, to issue a call for Committee members and ensure secretariat support is provided to the Committee, subject to resourcing. The Committee should be comprised of key community leaders and stakeholders with knowledge or experience relevant to Jordan's Principle advocacy and should aim to reflect a variety of regional realities; and

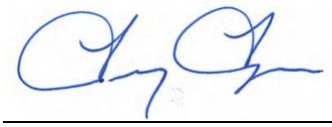
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3. The BCAFN Chiefs-in-Assembly call on Indigenous Services Canada to fund the operation of the BC Jordan's Principle Oversight Committee.

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