

Declaration of the Rights of First Nations Children

WHEREAS the First Nations of the Great Circle of Our First Nations have the inherent right to self-determination and self-government;

WHEREAS our Nations have endured colonial and subsequent dispossession of our lands and resources, denial of our rights and the imposition of federal and provincial laws and policies, all with grave negative effects on our children and families;

WHEREAS as a result, our languages, cultures and social structures have suffered and we experience economic and social conditions that compromise the health, safety, well-being, fundamental rights and future of our children and families;

WHEREAS protection of family relations, care for children, identity, culture and language lie at the heart of the rights of self-determination and self-government of our Nations;

WHEREAS these rights and the rights of our children are protected as Aboriginal and treaty rights recognized and affirmed under Section 35 of the Constitution Act, 1982;

WHEREAS First Nations care for, cherish and love children in a balanced and holistic way which is deeply rooted in Indigenous traditions;

WHEREAS the United Nations Declaration of the Rights of Indigenous Peoples and the United Nations Convention on the Rights of the Child, as well as other international instruments, address certain aspects of the rights of families and children, focussing on the responsibilities of States;

WHEREAS Jordan's Principle has been adopted by the House of Commons in 2007, but has never been fully implemented by Federal and Quebec governments;

WHEREAS there is the need to make specific, appropriate and complementary provision for the rights of the children of our Nations, grounded in the empowerment of children and parents and in a communal, collective approach;

WHEREAS the Chiefs in Assembly of the Great Circle of Our First Nations adopt and proclaim the Declaration of the Rights of First Nations Children, with the goal of preparing our children to assume creative, productive and honourable roles in our First Nations and in the wider society, always with a view to the ultimate future of our peoples;

WHEREAS this Declaration of the Rights of First Nations Children will notably serve the purposes of:

- declaring the rights of First Nations children,
- clarifying responsibilities of parents and community members toward the children,
- setting out the roles and responsibilities of the administrations and leadership of our communities and Nations and of the Chiefs in Assembly,
- providing guidance for interactions with the federal and provincial governments as regards the rights of First Nations children;

WHEREAS this Declaration does not and cannot be interpreted to imply acceptance of the application of federal and provincial laws that infringe the rights and jurisdiction of our Nations and the rights and of our families and children;

WHEREAS this Declaration is made in the exercise of and without prejudice to the rights and jurisdiction of our Nations;

THEREFORE, the Chiefs in Assembly of the Great Circle of Our First Nations (AFNQL) adopt and proclaim the Declaration of the Rights of First Nations Children, in order to ensure that all children of our First Nations who are under the age of eighteen years of age are provided with adequate food, clothing, shelter and health care; that they are protected and supervised to ensure their safety and health; that they receive nurturing, appropriate cultural teachings, transmission of their indigenous language and adequate education – all of which are their inherent and basic rights as children.

More particularly, the children of our Nations have the following rights, and their parents and extended family, as well as community members and First Nation administrations and leadership have the following responsibilities to ensure that the rights of the children are respected:

1. All children are created with the inherent right to be safe, to be loved and nurtured, to be heard and believed, to engage in play and recreational activities, and to have adequate health care, nutrition, shelter and education in line with their culture and traditions.
2. Every child has the right to be free of physical and emotional abuse, to be protected from sexual abuse and exploitation, and to be free from neglect, racism, discrimination and the demeaning or destructive acts of others.
3. Our children have the right to a name and their identity, the right to stay with and not to be separated from their birth parents and to know their extended family, community and Nation, all of which are important to their sense of belonging and to allowing them to thrive as a contributing members, and to the survival of our peoples, Nations and cultures.
4. Our children have the right to learn about and benefit from our history, culture, indigenous language, spiritual traditions and philosophy and to have positive adult role models in their lives.
5. Our children have the right to be free from domestic violence, alcohol and other substance abuse, lack of supervision, inadequate medical care and physical or emotional neglect, all of which may have deep and traumatizing effects on a child's physical and emotional growth and development.
6. Children who have suffered maltreatment, neglect, parentlessness and trauma need and have the right to special care, treatment and support in a way that promotes their healing and safety, as well as their dignity, value and future well-being.
7. Parents have the primary responsibility for providing their children with proper prenatal care, ongoing age-appropriate physical and emotional care, and emotional nurturing, adequate food, shelter, education and health care.
8. In order to encourage and sustain adult involvement to assist our children, youth and families and to support organizations pursuing such work, our Nations and communities, as well as other employers, shall provide paid release time when appropriate to employees while they volunteer for children and youth at schools and in the communities.
9. Parents have a fundamental responsibility to provide their children with a safe and healthy home and child care environments, to teach their children safety skills, and to provide appropriate supervision.
10. Our communities, Nations, governments and leaders also have the responsibility to ensure that our children benefit from a standard of health, nutrition, safety, education and nurturing necessary to promote healthy values and behaviours, which will in turn help them mature into healthy and productive members of our communities and Nations.
11. The treatment of children and their welfare in accordance with the rights set out in this Declaration is the responsibility of the entire community and Nation, and the responsibility extends to all children who reside in our communities, regardless of their membership or their length of residence, as well as to all of our members, wherever they may be.
12. In commitment to our youth and our communities, and in the desire to keep children safe, all First Nation members have the duty to report any child abuse to the appropriate authorities, always provided that for our Nations, the interest of the child and respecting the child's needs and rights includes the interest of the family, of the community and of the Nation, and particularly emphasizes the protection of identity, culture, traditional activities and language.
13. The Chiefs in Assembly shall advocate for and promote the safety, dignity and well-being of our children in accordance with this Declaration, throughout Quebec, including with respect to all federal and provincial government, business, social service and educational legislation, policy, services and activities, and in all of the institutions of our Nations and communities.
14. The Chiefs in Assembly shall undertake such other efforts as may be deemed necessary to assure the on-going safety and protection of our children in accordance with this Declaration, including, but not limited to, monitoring the well-being of the children, encouraging parents to participate in services to remedy behaviours that place children at risk, and ensuring the placement of children with relatives or other community members by utilizing customary care or adoption when necessary for the health and welfare of the children.
15. The Chiefs in Assembly support Jordan's Principle and urge for its full implementation by the federal and provincial governments to ensure access to culturally adapted services for each First Nations child without hindrance or delay by reason of jurisdictional conflict and funding disputes.
16. Our children and families, and the Nations and communities that serve them, have the right to adequately funded, community and Nation controlled, institutions and services, including those providing health care, education, recreation and social services. Such funding may come from own-source revenues where the Nation or community has gained sufficient control of its lands and resources previously taken by Canada and Quebec to have a viable economy, or for the time being from Canada, Quebec and the resource and other enterprises operating on our territories.



Assemblée des Premières Nations Québec-Labrador
Assembly of First Nations Québec-Labrador

