

Assembly of First Nations

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Assemblée des Premières Nations

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ANNUAL GENERAL ASSEMBLY
July 14-15-16, 2026, Ottawa, ON

Resolution no. 25/2026

TITLE: Addressing the Impact of Discriminatory Funding Gaps and Federal Policies on the Implementation of First Nations Child and Family Services Laws

SUBJECT: Social Development, Governance, Self-Determination

MOVED BY: Wayne Christian, Proxy, Whispering Pines/Canton First Nation, BC

SECONDED BY: Chief Eddy Jules, Skeetchestn Indian Band, BC

DECISION Carried by consensus.

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- i. Article 19: States shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free, prior, and informed consent before adopting and implementing legislative or administrative measures that may affect them.
 - ii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. First Nations children and youth have long been removed from their communities and disconnected from their culture by colonial policies and practices that result in discriminatory harms that continue to this day.
- C. In response to these harms, First Nations are exercising their inherent jurisdiction over child and family wellbeing, including by enacting and implementing laws to provide culturally grounded programs and services to protect their children, youth, and families and support their reconnection, recovery, and healing under *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act).

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Cindy Woodhouse

CINDY WOODHOUSE NEPINAK, NATIONAL CHIEF

25 – 2026
Page 1 of 2

- D. The *United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)* Action Plan, Measure No#29, requires the continued implementation of the Act.
- E. The Government of Canada provides capacity-building funding to support First Nations who wish to develop structures, systems, and services to support the implementation of First Nations child and family services laws before entering into a coordination agreement. However, the Government of Canada deters First Nations from implementing their laws by terminating capacity funding eligibility upon the date that a First Nation requests to enter into a coordination agreement.
- F. Despite affirmation and commitment through the Act to support the right of First Nations to self-determination, Canada asserts their views on how First Nations choose to organize themselves in the coordination agreement and implementation process.
- G. Additionally, Canada's initial five-year funding commitment expired on March 31, 2025. In December of 2024, First Nations-in-Assembly passed AFN Resolution, 92/2024, *Renewed Capacity-Building Funding Commitment for An Act respecting First Nations, Inuit and Métis children, youth and families*, calling on the federal government to renew its commitment to provide capacity-building funding to Indigenous Nations over five years, beginning in the 2025-26 fiscal year.
- H. In June 2025, the federal government renewed its funding commitment for an additional two fiscal years, which is set to expire on March 31, 2027. To ensure that First Nations sustain momentum in building capacity in child and family services, it is imperative that Canada continue to provide capacity-building funding and address the issues described herein. Therefore, this resolution replaces AFN Resolution 92/2024.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

- 1. Direct the Assembly of First Nations (AFN) to advocate for flexible funding approaches that includes the continued availability of capacity-building funding to support the unique circumstances of the First Nation exercising its inherent jurisdiction and legislative authority under *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act).
- 2. Direct the AFN to urge the Government of Canada to work with First Nations and the provincial and territorial governments to supplement federal capacity-building funding in support of the development and implementation of First Nations child and family services laws.
- 3. Direct the AFN to call upon the Government of Canada to recognize, as required by the Act, the inherent right of First Nations to self-government, including the ability of First Nations to determine who is an "Indigenous governing body" for the purposes of the Act.
- 4. Direct the AFN to call on the federal government to renew its commitment to provide capacity-building funding to First Nations over five years, beginning in the 2027-28 fiscal year, to support the implementation of the Act.

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