

# The Protocol between the Assembly of First Nations and Canada: What you need to know



On July 7, 2020, the Assembly of First Nations (AFN) and Minister of Indigenous Services signed an historical Protocol agreement regarding First Nations child and family services.

## What is the intent of Protocol?

The Protocol reflects a three-year commitment by Canada to work with the AFN and First Nations to outline a First Nations distinctions-based approach when implementing the new Indigenous child and family services legislation, *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act). The Protocol is grounded in the purposes and principles of the Act, including First Nations jurisdiction over child and family wellbeing, best interests of First Nations children, cultural continuity, substantive equality, and implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

## What does the Protocol do and not do?



The Protocol defines how Canada and the AFN will support the transformation of First Nations child and family services and sets out a guideline for the inclusion of greater input, control and decision-making by First Nations. It is designed for First Nations to have control over the development of laws, policies and processes related to the Act. The Protocol is focused on federal-level implementation of the Act and serves as a mechanism for First Nations to raise systemic issues related to child and family services at the national level.



The Protocol **does not** substitute, bypass or impede First Nations inherent rights or jurisdiction related to child and family services, regardless of if First Nation is planning to work within the Act or not. This also includes First Nations that do not wish to work with the AFN.

## Is there any funding?



As with the Act itself, the Protocol **does not** have any funding supporting it. The AFN will continue to advocate for sustainable statutory funding to support implementation of the Act, including the Protocol.



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## What are the key elements of the Protocol?

Regular bilateral meetings between AFN and Canada on the Act and its implementation progress, including challenges.

1

Support for the development of national First Nations distinctions-based policies through the establishment of the *Joint National Working Group* on implementation of the Act.

2

The development and creation of tools and standards to support First Nations jurisdiction in implementing the Act.

3

The establishment of a *Joint Fiscal Table on First Nations Child and Family Services Reform* to explore and identify fiscal issues relevant to First Nations' implementation of the legislation.

4

## What are the next steps?

The next step in implementing the Protocol is to create the Joint National Working Group with First Nations representation from coast-to-coast-to-coast. The AFN Chiefs Committee on Child and Family Services and Self-determination may recommend a person from their region to sit on the Joint National Working Group. Connect with your local leadership or visit the AFN website to find out more.

