



## **Protecting the Rights of Indigenous Children in Canada**

Expert Mechanism on the Rights of Indigenous Peoples Tenth Session  
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Marsee (Thank you) Mr. Chairperson,

Tawnshi (Hello)

Dishinkawshon (My name is) Duane Morrisseau-Beck

I would like to share an experience that I feel would be of interest with respect to the future work of the Expert Mechanism.

The issue of high apprehension rates of Indigenous children in the child welfare system in Canada is at an alarming rate.

The Department of Indigenous and Northern Affairs Canada (INAC), funds Aboriginal Child and Family service agencies at an average of 22% less than their provincial counterparts and it is 12.3 times more likely for an Aboriginal child to be in care than a non-Aboriginal child. Comprising 3.8 % of the Canadian population, Aboriginal children make up a staggering 30 percent of children in foster care.

According to Statistics Canada's 2011 National Household Survey, there are more than 14,000 Indigenous children under the age of 14 in foster care. With a total of 391,100 Indigenous children age 14 and under representing 28% of the total Indigenous population and 7 % of all children in Canada, almost one-half are in foster care. The question you now must ask yourself is – why is this happening?

It is happening because Indigenous families are not afforded the same supports that other children and families are receiving in Canada. It is happening because racism still exists in

Canada and families are judged from a different lens than other families. I would like to share my personal story to help put into context the very real and devastating effects the practice of removing children from their identity can be on an individual and on future generations.

In the mid-1950s to mid-1980s, over 20,000 Indigenous children were removed from their families, homes and communities by government employed social workers and placed into foster care or adopted into non-Indigenous homes without the consent of their parents. This era is known by many in the academic and Indigenous community as the Sixties Scoop.

In my case, my brother and I were removed at birth, placed into foster care and eventually adopted in my home province of Manitoba without the consent of our mother. I grew up in a non-Indigenous family not knowing my culture, language and connection to my Indigenous family and community. This left me vulnerable to emotional, mental, spiritual, and physical ailments. Not knowing who I was or where I came from at the age of six, set me on a course of self-destruction that brought me much pain and loss of potential. This has been the case for thousands of Indigenous children who felt disconnected, alone, and lost, and who are now adults facing many more challenges. Although the practice of removing Indigenous children in Manitoba decreased in 1985 as a result of the Kimelman Inquiry, the numbers are still very high and this situation must stop.

With record numbers of Indigenous children in care today, we are dealing with human rights violations because if these children and families were funded at a rate comparable to Non-Indigenous families many of these families would remain whole. With properly funded supports these children would not be continuing to suffer the loss of language, culture, identity and the loss of love from their families, their communities and Nations.

Mr. Chairperson, the National Indigenous Survivors of Child Welfare Network would like to make the following Recommendations in response to, and in support of Indigenous children and families:

1. That the Expert Mechanism examine the outcome of this unequal funding situation in Canada and apply the non-discriminatory principles applied by the Supreme Court of Canada to utilize this outcome for use in other states where Indigenous children and youth face discrimination in their respective child welfare systems.
2. That the Expert Mechanism call upon states to stop the practice of apprehending Indigenous children at alarmingly high rates, and of all too frequently placing the child in the care of non-Indigenous families and communities, contrary to the best interests of the child. There is well-documented evidence of these negative effects by numerous other Indigenous community and family service organizations and by the International Expert Group Meeting: Indigenous Children and Youth in Detention, Custody, Foster Care and Adoption.
3. That the Expert Mechanism call for increased dialogue and coordination between the United Nations system, particularly the Committee on the Rights of the Child, the United



Nations Declaration on the Rights of Indigenous Peoples, United Nations Permanent Forum on Indigenous Issues and the United Nations Expert Mechanism on the Rights of Indigenous Peoples to ensure the full, equal, and effective participation by youth and highlight the ongoing impacts on future generations from these injustices.

In conclusion, Indigenous families are the backbones of our communities, contributing great strength, particularly in relation to our children. When this connection is affected by violence from the state, the strength between all of our families and specifically our children are harmed. Now is the time to ensure these ties are no longer broken.

Thank you for your consideration of these recommendations. In closing, I would like to thank the Office of the High Commissioner on Human Rights for allowing me to be here to make this statement on behalf of my organization as a fellow for the 2017 Indigenous Fellowship Programme.

Marsee Mr. Chairperson.