

**International expert group meeting on
Indigenous children and youth in detention, custody, adoption and foster care**

4-5 March, 2010, Vancouver

Draft Programme of Work

Prepared by First Nations Summit and the Secretariat of the
United Nations Permanent Forum on Indigenous Issues

Draft Programme of Work

Thursday, 4 March

8:30am – 9:00am *Opening of Meeting*

Item 1 Opening of Meeting

9:00am – 10.30am

Opening Presentations *Tonya Gonella-Frichner, Member UN Permanent Forum on Indigenous Issues (UNPFII)*
Grand Chief Ed John/Andrea Carmen (IITC)
Jose Francisco Cali, Distinguished Panelist and member of CERD
Sonia Smallacombe (SPFII – Brief Introduction on the Experts)

Item 2 Election of Chairperson and Rapporteur

Presentation by the Chairperson

11.00 am – 1pm

Item 3 Detention and Custody

- What strategies have been successfully utilized by tribal governments and indigenous peoples' organizations to challenge disproportionate rates of detention and incarceration of indigenous youth?
- To what extent can tribal government, indigenous peoples' organizations or authorities influence the treatment and rehabilitation of indigenous youth in State/National justice systems?
- What are the common concerns regarding the incarceration of indigenous youth? How can tribal governments and indigenous peoples' organizations from different regions work together to address these common concerns regarding the detention and incarceration of indigenous youth?
- What State initiatives, if any, have proven to be promising with regard to indigenous children, youth and communities? What lessons can be learned from experiences with such programs, and how can indigenous peoples best ensure that promising programs are further developed and expanded?
- What role can the UN Permanent Forum on Indigenous Issues and the UN system more broadly play in addressing disproportionate rates of detention and incarceration of indigenous youth and harsh treatment of those in detention?
- Very little systematic data on detention and incarceration rates of indigenous youth exist for most countries and regions. How can this gap be filled? What are the gender differences? What gaps exist regarding indigenous youth with disabilities and how can these gaps be lessened? What mechanisms can be used to share information on this

issue among indigenous peoples' organizations and advocates concerned with this issue?

- What are the unique needs of young indigenous women who are incarcerated and how can these be met?

Presentations *Lenny Foster, Distinguished Panelist*
Agnes Lempaa (Africa)

Discussion on the item

1 pm – 2.30 pm **Lunch**

2.30 pm – 4:00 pm

Item 4 Foster Care

- How can indigenous peoples' communities, tribal government or authorities assist indigenous children and youths that are more likely to enter the foster care system?
- What strategies (including policy development etc) have been successfully utilized by tribal governments and indigenous peoples' organizations to deal with the disproportionate numbers of indigenous youth in the foster care system?
- To what extent can tribal governments or authorities influence the overall treatment and care (economically, socially, physically, spiritually and emotionally) of indigenous youth in state-sponsored foster care programs?
- How can tribal governments, indigenous peoples' organizations or authorities work together with States to ensure that proper care and treatment (economically, socially, physically, spiritually and emotionally) is afforded to indigenous children and youth that are placed in both indigenous and non-indigenous families?
- What are the common concerns regarding indigenous children and youth that are placed in the foster care system? How can tribal governments and indigenous peoples' organizations from different regions work together to address these common concerns?
- How can tribal governments, indigenous peoples' organizations and authorities work with States to assist indigenous youths that age out of the foster care system?
- What State initiatives/programs, if any, have proven to be promising to assist indigenous youths both in the foster care system and also those that age out of the system? What lessons can be learned from experiences with such programs, and how can indigenous peoples best ensure that promising programs are further developed and expanded?
- What role can the UN Permanent Forum in Indigenous Issues and the UN system more broadly play in addressing the vastly disproportionate numbers of indigenous children and youths in the foster care system?

Presentations *Natalie Hunter (Pacific)*
Jose Carlos Morales (South America)

Discussion on the item

4:30 pm – 6:00 pm

Item 5 Adoption

- How can indigenous peoples' organizations work together with indigenous communities that have maintained and still practice customary adoption system? How can all parties ensure that the indigenous children and youth going through these systems are not abandoned in the system but are placed with families that will allow them to develop skills and maintain their culture and traditions in their own homes?
- How can indigenous peoples' organizations and communities assist indigenous peoples or families that are considering entering their child(ren) into the formal adoption system? What service can be provided to these indigenous peoples or families within their own communities to assist them in making a well informed decision? How can indigenous peoples' organizations work together with States in the development of such services or programs?
- How can indigenous peoples' organizations and tribal governments and authorities influence States that are not party to international legal standards and instruments relating to children, like the Convention on the Rights of a Child to become party and implement these international standards locally?
- To what extent can indigenous people's organizations and tribal governments and authorities work together with States to ensure that indigenous children and youth that enter the formal adoption system are placed with legally operating entities that are not in contravention of any local or international laws relating to the adoption of children both locally and internally?
- How can indigenous peoples' organizations and tribal governments and authorities work together to assist States in tackling the issue of stolen babies and children? How can indigenous organizations create awareness of the issue in their own communities? How can indigenous peoples' organizations influence States to create awareness and implement laws and policies that will stop these illegal activities?
- How can indigenous people's organizations work together to assist the State in addressing the human rights concern of sexual trafficking of indigenous children?
- What roles can the UN Permanent Forum on Indigenous Issues and the UN system more broadly play in addressing the issue of indigenous children being stolen and also indigenous parents deceived into entering their child(ren) into international programs that are in contravention of local and international law?

Presentations

Natalie Landreth (North America)

Discussion on the item

Friday, 5 March

9:00am – 9:30am *Chairperson and Rapporteur*

9:30am – 10am

Presenter *Chief Wilton Littlechild, Distinguished Panelist*
Organization of American States (OAS)

10.30 pm – 1 pm

Item 6 Causes, Prevention and Healing the Sacred Hoop of our families and children

- What factors have influenced and continue to influence the transfer of Indigenous children from their families/communities to states? These can include external policies and events (i.e. residential/boarding schools, removal policies i.e. “lost generation” etc. and their present day effects (generational legacy issues); government policies and programs weighted towards removal of Indigenous children from their communities; wars and disasters; immigration policies; poverty and other factors. They can also include assessing factors within Indigenous communities that contribute to the erosion of parental, community and tribal custody and how these factors could be addressed and reversed.
- What contributions can Indigenous Cultural understandings and practices (including traditional healing and counseling, ceremonies, language preservation, etc.) offer in addressing this issue, including preventing the removal of children, returning children to community/tribal custody, and providing culturally relevant services to maintain identity and spiritual/cultural health for Indigenous children and youth while they are in state custody.

Presentations *Hinewirangi Morgan (Pacific)*
Nadir Bekirov(E. Europe, Russ. Federation & Central Asia)
Cindy Blackstock (North America)

Discussion on the item

1 pm – 2.30 pm **Lunch**

2:30 pm – 3:30 pm

(continued)

Item 6 Causes, Prevention and Healing the Sacred Hoop of our families and children
Continued discussion on the item

3:30 pm - 5 pm

Item 7 Adoption of conclusions and recommendations

5pm-5:15pm Closing