

Sub-Group on Indigenous Children and Young People
Monday, May 22, 2006
UN Crowne Plaza Hotel, New York
8:00-11:00

Participants:

Cindy Blackstock – First Nations Child and Family Caring Society (Canada)
Kenn Richard – Native Child and Family Services of Toronto (Canada)
Ngima Tendup Sherpa – Sherpa Association of Nepal (Nepal)
Teresa Curtis – Te Kahui Atawhai o te Motu / National Collective of Iwi Maori Social Service Providers (Aotearoa)
Wheturangi Walsh-Tapiata – Te Kahui Atawhai o te Motu (Aotearoa)
Arapeta Hamilton – Te Kahui Atawhai o te Motu (Aotearoa)
Yolanda Terán – Organización Andes Chinchansuyo (Ecuador)
Ana Lucia Terán Maigua – Organización Andes Chinchansuyo (Ecuador)
Judith Rae – University of Toronto, Faculties of Law and Social Work (Canada)

Materials Provided to Participants

- Copies of powerpoint presentations on literature review and on the ISG
- Copy of the draft code of ethics including proposed roles for the convenor and co-convenor and conflict of interest guidelines
- Copy of the draft criteria for the expert writer for the ISG
- Copy of briefing note on the proposed structure of the literature review and contact information to submit comments and resources
- Agenda for the meeting

Note: All documents in English - whisper translation in other languages was not available for this session

Opening

Arapeta Hamilton opened the meeting. Cindy Blackstock welcomed participants to the meeting. She passed on regrets from parties who could not attend (Jocelyn Formsmma, Margo Greenwood, Anna Pinto), and greetings from Jaap Doek, chair of the UN Committee on the Rights of the Child.

Meeting Points – Led by Cindy Blackstock

For additional information on the meeting content, please refer to the 2 sets of slides distributed in hard and electronic copy.

Cindy Blackstock began by reviewing the **documents** distributed to participants and highlighting the **key issues** requiring attention:

- Code of Ethics approval
- Decision-making structure approval
- Financial review
- Discussion on the General Comment

Ms. Blackstock then reviewed the **history and structure** of the ISG, noting particularly:

- The ISG is a new sub-group of NGO Group which liaises with the UN Committee on the Rights of the Child respecting child rights. Its roots began in the Day of Discussion on Indigenous children held by the Committee in 2003, and it held its first meeting in Toronto in October 2005. The Convenor is Roy Laifungbam of CORE in India and Ms. Blackstock is the Co-Convenor.
- The NGO Group meets in Geneva and most member NGOs are international groups working with children and youth in some capacity. The central functions of the NGO group are based in Geneva. This poses a significant barrier to the full participation of Indigenous peoples' organizations as well as other organizations located in other parts of the world. Ideas on how the NGO group could be more inclusive of NGO's working in other areas of the world are currently under discussion.
- The FNCFCS is the first and only Indigenous organization to become a member. At present there is also no international Indigenous children's NGO in existence. Ms. Blackstock encouraged other Indigenous organizations to join the NGO Group, which would allow them to become an official member of the ISG and to be eligible to act as Convenor or Co-Convenor. She noted that now is a good time of the year in which to join, and that the process is relatively simple. The cost is 100 Swiss francs and the NGO must have some international dimension (but may be largely domestic).
- The current NGO Group members of the ISG are:
 - o FNCFCS (Canada)
 - o CORE (India)
 - o Action for Children and Youth (New Zealand)
 - o International Psychologists Association
- The mandate of the ISG is to promote child rights within an Indigenous framework, and inform a General Comment on Indigenous children to be issued by the United Nations Committee on the Rights of the Child . It is not a representative organization, but rather a knowledge-sharing and networking group.
- Ms. Blackstock noted that the membership of the ISG needs to be much more diverse, and that "observers" have the same ability to participate as "members" though only members of the NGO Group can be official members and act as Convenor or Co-Convenor. She indicated that the Convenor and Co-Convenor positions should be rotated to ensure the group benefits from the rich diversity of Indigenous peoples worldwide.
- The key tasks of the ISG at present are:
 - o Assist Committee in drafting the General Comment
 - o Prepare international literature review on Indigenous children's rights
 - o Influence other international child rights processes and treaties

- Networking
- The ISG has some official duties to the NGO Group, which include:
 - Filing regular reports
 - Participating on the Coordinating Committee – This presents some challenges as all meetings are in Geneva.
- The ISG's finances are in a better position than some other sub-groups, due to fundraising efforts. However, more fundraising is needed to assist with meetings and particularly to facilitate participation (e.g. transportation to meetings for those who otherwise could not attend). Current sources of funds are:
 - \$23,000 from Canadian government, for General Comment
 - 3500 Swiss Francs for workshops

The group discussed the proposed **Code of Ethics and Duties**:

- Small changes were made, including changes to wording to clarify the participation of observers in addition to official members.
- The group agreed that the Convenor should preferably be indigenous, and/or should be accountable to a group of Indigenous people in some way, such as through an Indigenous peoples' organization. It was suggested that a statement on membership (applying to all members and observers) could be included on the same principles.
- The Code of Ethics and Duties was approved by the group with changes, pending a further 10 days for additional comments and review.

The group discussed how members can **support** the sub-group's activities:

- Ms. Blackstock indicated that the support of group participants is needed in the following ways:
 - providing feedback on documents
 - volunteering by organizing meetings, developing documents, taking meeting minutes, etc.
 - hosting the next meeting
 - fundraising to support specific activities, the inclusion of young people, and the participation of more members from diverse regions
- Mr. Sherpa offered to look into the prospect of holding the next meeting in Nepal in 6 months time. The group agreed with this proposal pending any further ideas at the afternoon meeting.

The group discussed **decision-making** procedures, and agreed that:

- documents will be sent in advance where possible
- decisions will be made by consensus, and by vote if necessary
- decisions taken will be written down, sent out within 5 days, will allow another 5 days for additional comments and changes (the group will have the option to reduce this time frame when necessary)
- emails to the group will indicate at the top the level of urgency, if feedback is needed, and the time frame for feedback

Ms. Blackstock identified the following important **next steps**:

- identify and recruit from members/observers from other parts of the world
- firm up the membership guidelines (options to be developed by a volunteer group)
- map out group members' own connections in Indigenous child rights
- support the development of the literature review and the General Comment

Ms. Rae discussed the **literature review** underway, and encouraged group members/observers to contribute research material and to notify her regarding problematic material. Mr. Richard indicated the importance of keeping the recommendations flexible and responsive to the needs of particular communities, rather than prescribing solutions, and in particular advised that land rights should not be emphasized to the exclusion of other means.

Ms. Blackstock reviewed the proposed structure of the **General Comment** and the steps taken thus far in its development. She noted the following upcoming steps:

- confirmation of proposed time frames and process with UN CRC
- selection of expert writer (May 30th 2006), and beginning writing (June 15th 2006)
- completion of literature review (July 15th 2006)
- review of drafts and submission of suggested text by group members
- final deadline: hopefully the General Comment will be passed by the UN Committee by January 2007

The group discussed the criteria for the **expert writer**, and approved the draft criteria with the addition that Indigenous candidates are preferred. Ms. Blackstock indicated that the expert writer would be paid 7000 Euros and work under contract with FNCFCFS. The group briefly discussed possible candidates for the expert writer, and agreed to encourage strong candidates to apply. Ms. Blackstock noted that applicants must submit applications by May 28th 2006, and applications will be forwarded to the UN Committee by May 30th for selection. The group agreed that it would be best if the ISG could rank candidates by the number of criteria met so as to assist the Committee in selecting the best candidate. The group discussed the question of copyright for the drafts, and decided to return to this issue after further investigation.

The group discussed the question of **membership**, noting that there are 2 levels of participation: Convenor/Co-Convenor, Members who are official NGO Group members, and Observers. The group discussed the challenge of including more members, particularly from developing countries and countries in transition, and youth, and agreed to work on creative solutions. The group agreed that while the ISG is not a representative organization, it will still be seen as such to some degree and should take care to maintain some consistency in membership and to maintain basic membership standards. The group agreed that:

- all members/observers must agree to knowledge-sharing
- all member/observers should be Indigenous and/or be accountable to Indigenous peoples through an organization of some kind

There are many issues to consider in terms of ensuring the representation of all who would like to participate and to ensure that the group is not overly influenced by

participants from any country and thus it is proposed a sub committee be developed to look into this further. Volunteers will be sought from the group this afternoon as well as through e-mail for participants who are unable to attend.

Ms. Blackstock noted that ISG should develop a **communications** strategy, including a website.

Closing

The meeting closed for further discussion at the afternoon meeting at the UN where this same material would be summarized again and whisper translation services would be available to ensure the active participation of all.

DECISIONS

- 1. Approval of Code of Ethics and Duties (pending review period)**
- 2. Approval of Criteria for Expert Writer (effective immediately)**
- 3. Membership Criteria (pending review period)**