

Framework Agreement Initiative on Child & Family Matters (FAI/CFM)

Background

The Manitoba Framework Agreement Initiative (FAI) was signed December 7, 1994 between the Crown (Government of Canada) and the Assembly of Manitoba Chiefs (AMC) to establish a formal binding process towards self-government for First Nations in Manitoba.

The FAI Agreement, also known as the "*Blue Book*", has the following objectives:

1. Dismantle the existing departmental structures of the Department of Indian Affairs and Northern Development (DIAND) as they affect First Nations in Manitoba;
2. Develop and recognize First Nations governments in Manitoba legally empowered to exercise the authorities required to meet the needs of the peoples of the First Nations; and
3. Restore to First Nations governments the jurisdictions (including those of the other federal departments); consistent with the inherent right to self-government.

Currently, the three negotiating tables involved in the FAI are the Comprehensive/Main Table (AMC), the Education Table (Southern Chiefs Organization - SCO), and the Child and Family Matters Table (Manitoba Keewatinook Ininew Okimowin - MKIO). As the lead on FAI/Child and Family Matters, MKIO is responsible for the research, negotiations and development of an Agreement-In-Principle.

Representatives from MKIO, SCO, AMC and First Nation Child and Family Services (FNCFS) Directors (one Northern & one Southern) comprise the FAI/Child & Family Working Group. The SCO has been involved in a variety of activities to determine the positions of the Southern First Nations.

Negotiations began January 2000 on the development of an Agreement-In-Principle (AIP) on Child & Family Matters. The latest draft of the AIP was completed in June 2004 and was conceptually agreed to by the parties. The AIP is not legally binding; rather it is a negotiating tool that sets out the framework for negotiations of a final agreement. The AIP covers significant areas related to governance, jurisdiction (the ability to pass laws), and fiscal relations (financial structures/relationships). Upon approval of the AIP by the Leadership, consultations will take place in the communities for review. Feedback received from First Nation Leadership and Membership will be used in the development of a Final Agreement.

Current & Planned Activities

In November 2003, the Proclamation of the new Child and Family Services Authorities Act created the FNCFS Northern Authority, the FNCFS Southern Authority, the Métis Authority and the General Authority. The FNCFS Agencies now have the administrative authority to provide services to children and families on and off reserve but continue to remain under Provincial Legislation (Provincial Laws). The objective of the FAI is to restore full jurisdiction (Law Making Authority) to First Nations through the development of a Final Agreement on Child and Family Matters.

In December 2004, the FAI completed its tenth year. As such, and in accordance with the "*Blue Book*", the parties are currently reviewing the FAI to determine, on a mutually agreeable basis, how the FAI shall continue and on what terms. First Nation and Federal Representatives have been interviewed as part of this review. The AMC has received a mandate from the Manitoba Chiefs to pursue an extension of the FAI to ensure the process will continue towards a Final Agreement.

Issues – Challenges – Opportunities

The FAI on Child and Family Matters asserts that the rebuilding of First Nation Governments must reflect and reaffirm First Nation beliefs, customs, and traditions and that Treaty and Inherent Rights must be paramount throughout the agreement.

From January to March 2005, representatives from the Comprehensive, Education, and Child & Family Tables will be providing Information Sessions to First Nation Leadership and Membership to receive input and direction from the Manitoba First Nations. To find out if and when the FAI will be in your community, please contact one of the individuals below.

Contact Information

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