

IACAPAP DECLARATION ON THE RIGHTS OF INDIGENOUS CHILDREN, ADOLESCENTS AND FAMILIES TO MENTAL HEALTH AND WELLBEING, July 2018

IACAPAP declares recognition of certain fundamental mental health rights of children, adolescents and families of indigenous communities everywhere, in concert with the United Nations Convention on the Rights of the Child (1990) and the United Nations Declaration on the Rights of Indigenous Peoples (2007).

Indigenous communities are identified as those within nation states that can regard themselves and be regarded by others as indigenous on account of their descent from the people who inhabited a particular territory (land and waters) at the time of conquest or colonisation of that territory, and who, regardless of their legal status, retain some or all of their own social, economic and cultural traditions. This statement follows United Nations policy, set out by the Indigenous and Tribal Peoples Convention of the International Labour Organisation (1989) and by the website of the UN Permanent Forum on Indigenous Issues (2018).

IACAPAP's Declaration on Children's Rights (Jerusalem, 2001) asserts that all children have the same and equal human rights. Additionally, IACAPAP calls for special recognition of the rights of children affected by Maltreatment, War, Terrorism and Disaster in its Rome Declaration (2003). In this context, **indigenous children, youth, and their families face unique challenges to mental health and wellbeing, challenges stemming from colonisation and dispossession**, often involving warfare which only sometimes resulted in a treaty. The sustained brutality of associated massacres, poisonings, rapes and genocide campaigns commonly leads to transgenerational trauma in communities. Of course for some, warfare is ongoing today, but wherever colonisation has occurred within the memory of the community, we find that children and youth can continue to experience emotionally its horrific impacts. In addition, colonial dispossession of homeland and of traditions of culture, language, spirituality, kinship structures, and child rearing practices has typically left communities with an abiding sense of loss, affecting group identity and individual self-identity and dignity. Continuing colonisation by modern, globalised culture and policies of assimilation can further erode traditional culture, often bringing a continuing questioning of basic values by the young.

With remarkable resilience, creativity and commitment to their children, indigenous communities live with an awareness of the great effort required for survival in the face of unemployment, physical and mental health problems, family discord, substance abuse, and justice and welfare issues. The lives of their young can be challenged by absence of hope, even despair, fuelled by negative discrimination, frequent racist persecution by society and governments, and in some places extremes of trafficking, sexual exploitation and child labour.

It is acknowledged here that one of the barriers to addressing the damage wrought by colonisation is that the beneficiaries of colonists appear to inherit, in parallel with indigenous people, disturbing effects of oppression and dispossession. **Members of mainstream society remain victims too, often experiencing deep-seated and largely unconscious anxiety and guilt related to their ongoing failure to act with humanity, if not to historical wrongs.** This awareness of their own loss of humanity in relation to indigenous people is kept at bay both by denial of their own people's history and by a dissociation of feelings accompanying continuing processes of colonisation and oppression.

Of course we cannot speak of attempting to heal the ongoing trauma of colonisation while such processes remain at play. However, indigenous children, as infants and growing young people, may benefit from the special acknowledgement offered by this Declaration. Members of IACAPAP, which represents child and adolescent mental health organisations across the world, can **use this Declaration to join with indigenous groups to advocate, at many and varied levels, for recognition of the rights of indigenous children and youth to mental health and wellbeing. Such advocacy is an ongoing responsibility of the mental health field.**

Indigenous mental health professionals and community leaders have been consulted in the formulation of this Declaration. It is a **Living Declaration, to be discussed and amended in a continuing spirit of collaboration through regular reviews by indigenous communities and mental health professionals**, to ensure clarification of its complexities and to ensure its expanding relevance internationally.

Accordingly, IACAPAP declares special recognition of the following rights to mental health and wellbeing of children, adolescents and families of indigenous communities everywhere.

1. Indigenous children, adolescents and families have the right to experience good developmental health, mental health and wellbeing, in addition to safety and general social and emotional wellbeing in daily life, as identified by the indigenous community to which they belong.
2. Indigenous children, adolescents and families have the right to be recognised and respected as members of the indigenous culture which they identify as their heritage.
3. Indigenous children, adolescents and families have the right to good quality legal, justice, health and welfare services that are appropriately culturally sensitive and competent, as determined by the indigenous community to which they belong.
4. Indigenous children and adolescents have the right to be consulted as individuals about matters affecting their own mental health and well-being and consulted collectively in groups regarding institutions and services involving them; indigenous families have the right to collaborate in institutional decision-making regarding their young.
5. Indigenous children, adolescent and families have the right to expect indigenous community leadership and self-determination in mental health services, supported by high standard clinical and cultural training of both indigenous and non-indigenous professionals in the mental health area.
6. Indigenous children, adolescent and families have the right to expect provision of institutions and policies enabling parents, extended family systems and guardians to care appropriately for their children.
7. Where indigenous children, adolescents and families are educated within a government education system, they have the right to full engagement in preschool, primary and secondary school education which involves, in both planning and review, consultation with the extended families and community of those indigenous children and adolescents, and which provides opportunity for the education of the young in their own languages.
8. Indigenous children, adolescents and families have the right to access, when a government education is provided, inclusive learning programs embracing the culture, history, language and religion of their traditional heritage, especially regarding healthcare and healing; programs should also include relevant current affairs, especially as these feature participation and achievement by indigenous individuals and groups seeking positive and creative change in society that aligns with indigenous self-determination.
9. Indigenous children, adolescents and families have the right to recognition and consideration by society of the historical community transgenerational trauma which they and their ancestors have experienced through colonisation by the mainstream culture, and to expect such consideration to be built into health, educational and welfare services offered to them, with understanding extended to them by those services, and with affirmative action as determined to be appropriate by their communities.
10. Indigenous children, adolescents and families have the right to expect that these rights inform the relevant laws of the mainstream government concerned, and in the structure and delivery of government services at all levels.
11. Indigenous children, adolescents and families have the right to have their human rights communicated to them by governments in a consultative way, with opportunity for any related concerns to be addressed as determined by indigenous communities themselves.