

FIRST NATIONS LEADERSHIP COUNCIL

NEWS RELEASE

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First Nations Leadership Council Concerned over Quebec Government Decision to Challenge Federal Child Welfare Legislation as Unconstitutional

(X̱w̱məθḵw̱əy̱əm (Musqueam), S̱ḵwx̱w̱ú7mesh (Squamish) and sə̱ḻḻw̱ətaʔ/ sə̱ḻḻw̱iṯuḻh (Tsleil-Waututh)/Vancouver, BC) — The First Nations Leadership Council (FNLC) welcomes the new spirit of rights recognition and reconciliation that begins on January 1, 2020 with the commencement of Canada's *Act respecting First Nations, Inuit and Metis Children, Youth and Families*.

The FNLC, as mandated by First Nations leaders in British Columbia, has been advocating for the recognition of First Nations' inherent jurisdiction over children and families for decades, and actively participated in both national and regional discussions to see this legislation realized over the past several years. The FNLC expresses concern that the Province of Quebec has announced that they will bring a constitutional challenge to the validity of the new federal legislation to the Quebec Court of Appeal.

First Nations in British Columbia are committed to meaningful and appropriate systemic change to support First Nations children and youth to remain in their families, and for First Nations jurisdiction over children and family services to be affirmed as within the inherent self-governing authority of First Nations peoples.

"Children and youth are rights holders, members of Nations, and are entitled to be raised in their families and culture, with knowledge and support of their languages and territories," said Cheryl Casimer, Political Executive member of the First Nations Summit. "We cannot let this important time for change pass us by or be mired in conflict and disagreement. Putting children at the centre means we all must work for the changes needed. Furthermore, the federal legislation contributes to the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*, which is the framework for lasting reconciliation, and the basis of the work proceeding with all levels of government for First Nations peoples in British Columbia."

"The Government of British Columbia has been actively working with First Nations in BC to implement the *United Nations Declaration* and we have recently co-developed legislation for this purpose which reinforces the path we are on to support our children and families," said Kukpi7 Judy Wilson of the Union of British Columbia Indian Chiefs. "The constitutional challenge being put forward by Quebec maintains historical power struggles which are rooted in continued colonialism and must be ended. We stand in solidarity with the First Nations of Quebec and Labrador who have raised concerns about the steps by the government of Quebec to block the legislation."



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The federal child welfare legislation was a response to a Call to Action issued by the Truth and Reconciliation Commission in its final report of 2015, and is one step in addressing the systemic discrimination ruled upon repeatedly by the Canadian Human Rights Tribunal in the *Assembly of First Nations and Caring for First Nations Children and Family Society* complaint filed in 2006.

"This step by Quebec is regressive and Canada must stand with First Nations peoples to support the rights of our Nations to do the needed work for our children and families. We call upon the Federal government to clearly support First Nations peoples and our constitutional rights," stated Regional Chief Terry Teegee of the BC Assembly of First Nations. "We have a well established, progressive and positive path forward in British Columbia and have been actively working with the Government of British Columbia alongside Canada to implement this legislation."

"Our children cannot be forced to wait while Quebec raises constitutional issues related to its own political aspirations and agendas, which are not reflective of the human rights of our children and families," said Grand Chief Stewart Phillip of the Union of British Columbia Indian Chiefs. "The pressing issue for us has been the discrimination caused by the unilateral imposition of the provisions of the *Indian Act* that allowed provincial child welfare officials to remove generations of our children. That era must end now and repair of the damage caused must begin in earnest. We will be supporting First Nations to implement the new legislation in BC immediately and without delay."

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