

FIRST NATIONS LEADERSHIP COUNCIL

News Release

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FNLC Statements on Canada's Decision to Continue Fighting First Nations Kids in Court

(Xʷməθkʷəy̓əm (Musqueam), Sḵw̓x̓wú7mesh (Squamish) and səliłwətał (Tsleil-Waututh)/Vancouver, B.C.)

The First Nations Leadership Council (FNLC) is extremely disappointed and angered about Canada's decision to appeal the most recent Canadian Human Rights Tribunal (CHRT) Decision, which expands the eligibility criteria of Jordan's Principle to non-status First Nations children who are recognized by their community, or who have a parent who is eligible for Indian status.

On December 22, 2020, Canada filed notice of its intention to apply for judicial review of the November 25, 2020 CHRT ruling (2020CHRT36). Canada's stated position is that the tribunal erred in finding that Canada's inclusion of *Indian Act* status provisions as a criterion of eligibility for Jordan's Principle to be discriminatory and asks that the Federal Court set the decision aside.

"As First Nations people we have the inherent right of self-determination, which includes the right to determine our own citizens and members in accordance with our laws and traditions," stated Kukpi7 Judy Wilson, Secretary-Treasurer of the Union of BC Indian Chiefs. "The *Indian Act* was created as a tool of forced assimilation and displacement for our peoples. Continued imposition of *Indian Act* recognition processes upon our citizens is an ongoing act of genocide by Canada".

"Canada has been fighting First Nations children in the courts for more than a decade, choosing to funnel millions of dollars into ongoing litigation, rather than taking concrete action to achieve equity for First Nations children. Jordan's Principle was established to ensure all First Nations children have timely and equitable access to services and programs that support their health and well-being. It is incredibly frustrating that we are once again seeing Canada choose to maintain its own discriminatory practices when those resources could be directed toward achieving substantive and necessary equality for our children and youth," stated Cheryl Casimer, Political Executive member of the First Nations Summit.

Regional Chief Terry Teegee, of the BC Assembly of First Nations, continued: "We are supposedly in a time of change and reconciliation. Canada has recently introduced legislation to bring our federal laws into alignment with the UN *Declaration on the Rights of Indigenous Peoples* and this is a direct opportunity to put those commitments to action. We call upon Canada to withdraw its application for judicial review and take immediate, actionable steps to uphold the UN Declaration – which includes leaving it to First Nations people to determine our own citizens, and ensuring our children have full and equitable access to health and social services, regardless of Indian Act status."

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The First Nations Leadership Council is comprised of the political executives of the BC Assembly of First Nations (BCAFN), First Nations Summit (FNS), and the Union of BC Indian Chiefs (UBCIC).



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