



Assembly of Manitoba Chiefs
EMPOWERING OUR NATIONS

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February 7, 2019

Prime Minister Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

RE: Manitoba First Nations approach to First Nations Jurisdiction on Child Welfare- *Bringing Our Children Home Act*

This letter is a request for you to direct your Ministers of Indigenous Services Canada and Justice Canada to work with Manitoba leadership to jointly draft a Government Bill that will give effect to the Manitoba First Nations *Bringing Our Children Home Act*.

The *Bringing Our Children Home Act* is a Manitoba First Nations-led design process for specific federal legislation informed by grassroots people, Elders, Knowledge Keepers, CFS experts, and First Nations Leadership. It was reviewed and endorsed by the Assembly of Manitoba Chiefs (AMC) Chiefs-in-Assembly in October 2018.

Initially, in March 2018 previous Indigenous Service Canada Minister, Jane Philpot, met with the Grand Chiefs of the AMC, the Manitoba Keewatinowi Okimakanak, and the Southern Chiefs Organization. At that time, the Minister offered for Manitoba First Nations to draft Manitoba specific Child and Family federal legislation. As part of the MOU signed by Canada and AMC in December 2017, the work plan identified for Manitoba First Nations to have full jurisdiction for First Nations children and families within the next 5 years. AMC took this opportunity to expedite the process of developing federal legislation for Manitoba First Nations with the funding commitment from the Indigenous Service Canada- Manitoba Region.

Through the *Keewaywin: Closer to Home* Manitoba First Nation community visits, discussions took place with First Nation citizens on traditional family law, how it was structured prior to the legislative interference of the province of Manitoba, and the support for First Nations jurisdiction over children and families. A report of those visits then informed the Manitoba specific federal legislation, including the 30 years of work done by the AMC in child welfare and recent engagement reports.

After the completion of the first draft of the federal legislation, a pipe and water ceremony were conducted followed by a sweat and feast. The name that was given to the document during ceremony was, *Bringing Our Children Home Act*. The document was internally reviewed by the AMC, the Steering Committee that was established to oversee this drafting of legislation, a number of times by AMC Elder's Council, then by the AMC Women's Council who oversee the workplan for the MOU and provide oversight, guidance and direction on issues related to children and families, and also reviewed by the AMC Executive Council of Chiefs prior to it being endorsed by the AMC Chiefs-in-Assembly.

It is well overdue that the Crown must now and more then ever set aside meaningful space and standing of the original First Nations laws and principles within the construct of a society that is reflective of a society that has been built on Treaty partnerships. True reconciliation will not be achieved without this taking place. First Nations have lost and continue to lose their children, land, water, languages, identity

and way of being due to colonial indifference. The AMC has been clear that provincial incursion into First Nation's jurisdiction and responsibility for our children and families must end. Our inherent rights must be recognized and respected, and First Nations must be provided the necessary resources to carry them out and keep our families together and healthy and out of the CFS system.

For too long, child welfare has become a lucrative industry that commodifies First Nations children instead of providing holistic family support, reconciliation and reunification. Our children are a sacred gift from Creator and have the right to be physically and spiritually nurtured by their mother, father, family and Nation. Creator through our Great Binding Law passed down the rights of our children to our Anishinaabeg, Anishininwak, Dakota Oyate, Denesuline, and Nehethowuk/Inninwak Nations. A child's right to thrive is an inclusive universal human right.

You have no doubt been made aware of various concerns expresses about the current proposed draft pan-Indigenous bill your officials drafted. We also express concern that it does not recognize First Nations jurisdiction over child welfare, nor enshrine equitable and statutory funding. As well, we express concern about the "one size fits all" approach to include the Inuit, Metis and First Nations. This pan-Indigenous approach cannot be done, most notably because First Nations are the only Indigenous group of peoples subject to the *Indian Act*.

Honourable Prime Minister, you have a way to go forward in Manitoba. The *Bringing Our Children Home Act* is Manitoba-specific, informed and drafted by Manitoba First Nations so that it specifically addresses the regional-specific child welfare issues for Manitoba First Nations. The *Bringing Our Children Home Act* is one of its kind that is specific to the needs of Manitoba First Nations, and reconciles the colonial legislations and policies of removing children away from their families and Nations by reclaiming our jurisdiction. As well, the *Bringing Our Children Home Act* meaningfully engaged Manitoba First Nations rights holders, unlike what your bureaucrats have done so far done with respect to the complete lack of any meaningful consultation with Manitoba First Nations on their proposed pan-Indigenous child welfare federal legislation.

In closing, we strongly urge you to fully support a Manitoba First Nation approach to addressing the destructive colonial impacts of child welfare, and direct your Ministers to jointly work with Manitoba First Nations leadership on a Government Bill to give effect to the *Bringing Our Children Home Act*.

Sincerely,

ASSEMBLY OF MANITOBA CHIEFS



Grand Chief Arlen Dumas
AMC



Chief Francine Meeches, Chair
AMC Women's Council

cc. Manitoba First Nations
Manitoba Keewatinowi Okimakanak
Southern Chiefs Organization
Assembly of First Nations
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