



Assembly of Manitoba Chiefs
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AMC – AFN Manitoba statement on Canada’s decision to continue fighting First Nations children and families in court if a global solution cannot be reached

Treaty One Territory, Manitoba – The Assembly of Manitoba Chiefs (AMC) and Assembly of First Nations (AFN) Manitoba region issues this joint statement in reaction to the federal government’s decision to take a carrot and stick approach to negotiating with First Nations on redress for decades of willful and reckless discrimination against First Nations children.

Although the appeal is on hold until a ‘global solution’ can be reached between the federal government, the Assembly of First Nations (AFN) and First Nations Child and Family Caring Society of Canada, Canada retains its right to litigate and continue fighting First Nations children and families in court if a solution cannot be reached by the parties by December. Canada filed a notice of what’s known as a ‘protective appeal’ with regard to one of two orders issued by the Canadian Human Rights Tribunal (CHRT) in relation to First Nations children and families harmed by discriminatory child welfare policies. The government filed its notice of appeal at approximately 4:30 pm Eastern Time, just minutes before the Federal Court of Appeal closed for the weekend. Minister Miller, Minister Hajdu, and Minister Lametti then held a press conference to say that the government is temporarily ‘putting down its sword’ in order to give the parties space to negotiate a global solution. Minister Miller indicated in a press statement that Canada is committed to ‘significant investments’ to the long-term reform of First Nations Child and Family Services.

AMC Grand Chief Arlen Dumas said, “The AMC is expressing its collective and bitter disappointment with Canada’s decision to retain its right to appeal the CHRT’s ruling, upheld by the Federal Court, for Canada to pay compensation to First Nations children and their families. The notice of appeal is not conducive to relationship-building and sets a negative tone for the Crown-First Nations relationship by the newly appointed Ministers of Crown-Indigenous Relations and Indigenous Services Canada in their discussions for a so-called ‘global solution’. These negotiations for a global solution should not be under the threat of further litigation by Justice Department lawyers; these tactics are not a good-faith negotiations.”

“Canada states that it will immediately pause the litigation and enter into negotiations with the AFN and the Caring Society,” continued Grand Chief Dumas. “The AMC is adamant that discrimination by the Crown must end, and Canada must work with First Nations on a Nation-to-Nation basis to address the long-term reform of First Nations child and family services with significant resourcing. However, the AMC calls on the federal government to immediately compensate First Nations children and families in the manner prescribed by the CHRT and upheld by the Federal Court. The fact it hasn’t done so is nothing short of an affront to the principle of reconciliation and the Nation-to-Nation relationship.”

AFN Regional Chief Cindy Woodhouse added: “Too often, First Nations are forced to litigate to the highest appeal courts in Canada. First Nations in Manitoba have waited too long for federal political will to accept the orders of the Canadian Human Rights Tribunal in this case. We have been fighting and winning consistently for years. I am extremely disappointed Canada has taken the decision to appeal. Regional Chief Woodhouse went on to say, “I urge the lawyers on both sides to put the children first. And, if a fair settlement is not reached quickly, I again urge the Government of Canada to drop its appeal. First Nations and our children can not be expected to endure more.”

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About the Assembly of Manitoba Chiefs

The AMC was formed in 1988 by the Chiefs in Manitoba to advocate on issues that commonly affect First Nations in Manitoba. AMC is an authorized representative of 62 of the 63 First Nations in Manitoba with a total of more than 151,000 First Nation citizens in the province, accounting for approximately 12 percent of the provincial population. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho / Inineu (Cree), Anishinew (Ojibwe-Cree), Denesuline (Dene) and Dakota Oyate (Dakota) people.