

SQUAMISH NATION DEMANDS IMMEDIATE CONSULTATION ON FIRST NATIONS CHILD AND FAMILY SERVICES AGREEMENT



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NORTH VANCOUVER, BC, Oct. 16, 2024 /CNW/ - The Squamish Nation calls on the Government of Canada to immediately fulfill its duty to consult First Nations on the draft Final Settlement Agreement (FSA) for the long-term reform of First Nations Child and Family Services (FNCFS). This agreement, developed without the input of key First Nations rightsholders, raises serious concerns about perpetuating systemic discrimination and failing to adequately protect First Nations children and families.

The FSA, signed by the Assembly of First Nations (AFN), Chiefs of Ontario (COO), Nishnawbe Aski Nation (NAN), and the Government of Canada, seeks to address long-standing issues identified by the Canadian Human Rights Tribunal (CHRT). However, the Squamish Nation has significant concerns that the agreement falls short of meeting the legal and human rights standards required to prevent future harm to First Nations children.

Key Concerns Raised by the Squamish Nation:

1. **Failure to Consult:** The Squamish Nation emphasizes that Canada has failed to fulfill its legal obligation to consult First Nations rightsholders directly on the content of the FSA. Instead, Canada has deferred to a flawed engagement process led by the AFN, which is a political organization and not a representative body for all First Nations governments, including the Squamish Nation. The Nation insists that true consultation requires the free, prior, and informed consent of affected First Nations, as mandated by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
2. **Systemic Discrimination:** While the FSA is intended to address systemic discrimination in the FNCFS, the current agreement does not go far enough in ensuring that such

injustices will not recur. It lacks enforceable mechanisms to prevent future discrimination and does not provide sufficient funding or support to meet the long-term needs of First Nations children and families. Key aspects, such as capital funding and post-majority support, remain incomplete.

3. **Inadequate Accountability:** The Squamish Nation is particularly concerned about the removal of the CHRT's oversight role, which has been crucial in holding Canada accountable for its discriminatory practices. The FSA's alternative dispute resolution process lacks the authority to enforce necessary changes, leaving First Nations without clear recourse in the event of non-compliance by the federal government.
4. **Unequal Funding for Prevention Services:** The allocation of prevention funding under the FSA disproportionately disadvantages First Nations outside of Ontario, including British Columbia. The agreement fails to guarantee equitable funding across all regions, putting First Nations in British Columbia at a particular disadvantage. Without adequate resources and capacity, First Nations will be unable to deliver the prevention services needed to safeguard their children.
5. **Unclear Decision-Making Processes:** The FSA's provisions on decision-making and leadership endorsement are vague and lack transparency. The agreement requires parties to publicly promote it, without providing clarity on who constitutes "First Nations leadership" or how such leadership is to endorse the agreement. This undermines the principles of free, prior, and informed consent.

"We have a duty to protect our children and ensure they are free from the discrimination that has harmed them for too long," said Khelsilem, Chairperson of the Squamish Nation Council. "Canada's failure to consult First Nations on this agreement is unacceptable. The current draft does not provide the safeguards needed to protect future generations. We demand that Canada fulfill its duty to consult and work with us to address the systemic inequities within the child and family services system."

Action Requested: The Squamish Nation has formally requested that Canada respond within five business days to confirm whether it will engage in direct consultation with First Nations rightsholders, including the Squamish Nation, on the draft agreement. A lack of response will compel the Nation to explore all legal options, including seeking an injunction on the agreement and pursuing further legal action to protect the rights of First Nations children.

For further information or to schedule interviews, please contact the Squamish Nation's Communications Department at media@squamish.net or call 604 307 3219