

FIRST NATIONS LEADERSHIP COUNCIL

Statement

November 1, 2021

First Nations Leadership Council Honours Gitanmaax' Successful Assertion of Inherent Jurisdiction over their Children

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

The First Nations Leadership Council (FNLC) stands in full support and solidarity with the Gitanmaax in their assertion of inherent jurisdiction over the care and wellbeing of one of their children and is relieved that the court has also agreed this child should remain in the care and custody of her family and her Nation at this time.

On October 18th, Gitxsan Chiefs, leaders, members, and allies [stood together in the assertion of their inherent jurisdiction](#) as a sovereign nation to prevent social workers from MCFD from removing the child from the community and sending her to distant relatives in Ontario, despite clear objections from her Nation and the Git'luuhl'um'hetxwit house group. Following this action, the Ministry of Children and Family Development (MCFD) sought a court order last week to apprehend the child without notifying the Nation, despite a commitment made to the Nation to allow the child to remain in the community until a final court agreement is reached. The actions of MCFD show blatant disregard for the rights of this child, her family and her Nation and are a complete contradiction to the Horgan Government's own stated commitments to reconciliation and upholding the UN Declaration on the Rights of Indigenous Peoples.

This sovereign act of resistance against the colonial child welfare system demonstrated courageous and principled leadership by the Gitanmaax, and the [decision of Provincial Court Judge Menger](#) to have this child remain in her community showed movement towards reconciliation in the current legal system. Our children need to grow up within our families and communities, knowing who they are and connected to the lands and territories they come from. The status quo is shifting, and the theft and assimilation of Indigenous children through child removal systems will not be accepted without resistance. We extend our full support to the Gitanmaax and call upon MCFD to act with integrity in ongoing legal proceedings related to this child. We further call upon MCFD to ensure all levels of their staff are acting in good faith to stop the ongoing racism and oppression within the current child welfare system, while fully implementing *An Act Respecting First Nations, Inuit and Metis Children, Youth and Families* and upholding the minimum human rights standards the province has repeatedly committed to within the UN Declaration on the Rights of Indigenous Peoples.

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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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