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June 26, 2024

**VIA EMAIL** 

**Registry Office** Canadian Human Rights Tribunal 240 Sparks St., 6<sup>th</sup> Floor West Ottawa, ON K1A 1J4

Dear Registry Officer Dubois,

## RE: First Nations Child and Family Caring Society of Canada et al v. Attorney General -T#1340/7008; First Nations Leadership Council Response to Parties Positions on its Motion for Interested Party Status

Pursuant to the Panel's direction of June 12, 2024, this is the reply of the First Nations Leadership Council ("FNLC") to the responses of the Parties to the FNLC's motion for interested party status.

The FNLC acknowledges that the motion and cross-motion in which FNLC seeks to participate are well advanced and that the Parties wish to preserve the current schedule and hearing dates as much as possible. The FNLC does not wish to delay these proceedings and recognizes the FNLC's motion for interested party status may affect the Parties within the current schedule. FNLC and their counsel are prepared to make themselves available respecting any scheduled dates and any additional dates that may be required.

The FNLC confirms that it seeks to make written and oral submissions that will be limited to the issues before the Panel in the motion and the cross-motion. Canada has proposed that the FNLC be limited to written submissions of 15 pages. We respectfully submit that the FNLC should be permitted to provide written submissions of no more than 25 pages, consistent with what the Panel has granted to other interested parties in the past. This will allow FNLC to make a useful and distinct contribution to the proceedings. The FNLC does not seek to adduce any new evidence.

The Canadian Human Rights Commission has submitted that the Panel should not direct that the FNLC be permitted to participate in mediation or other dispute resolution procedures that may take place with respect to the Motions. The FNLC submits that the Panel should direct the nature and scope of the FNLC's participation in any dispute resolution processes at the time they may arise.

The FNLC does not seek standing in these proceedings beyond the current motion and crossmotion.

Yours truly,

MANDELL PINDER LLP

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**Crystal Reeves** 

CR/mds

Cc: Dayna Anderson, Kevin Staska, and Samantha Gergely Co-counsel for the respondent Attorney General of Canada

> Stuart Wuttke, Adam Williamson, and Lacey Kassis Co-counsel for the complainant Assembly of First Nations

Maggie Wente and Darian Baskatawang Co-counsel for the interested party Chiefs of Ontario

Justin Safayeni and Stephen Aylward Co-counsel for the interested party Amnesty International

Julian Falconer, Asha James, Shelby Percival, and Meaghan Daniel Co-counsel for the interested party Nishnawbe Aski Nation

David Taylor, Sarah Clarke, and Kevin Droz Co-counsel for the complainant First Nations Child and Family Caring Society of Canada

Brian Smith and Ashley Walsh Co-counsel for the Canadian Human Rights Commission