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## ADDITIONAL EXHIBITS IN SUPPORT OF THE JOINT MOTION

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**CA-17 :** Assembly of First Nations Quebec-Labrador, *Negotiation and development of a transition plan for a new health and wellness governance model by and for First Nations in Quebec*, 2025, resolution n° 05/2025, in English;

**CA-18 :** Letter from Pauline Frost, Chair of the NCCC, dated January 24, 2025, addressed to the Government of Canada, in English;

**CA-19 :** Letter from National Chief Cindy Woodhouse Nepinak, dated March 4, 2025, addressed to the Government of Canada, in English;

**CA-20 :** Letter from the Minister of Indigenous Services Canada, the Honourable Patty Hajdu, dated February 25, 2025, addressed to Pauline Frost, Chair of the NCCC, in English.

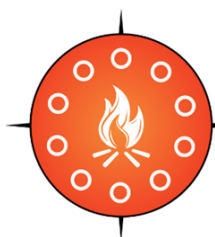
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# EXHIBIT CA-17

May 16, 2025

**ASSEMBLY OF FIRST NATIONS QUEBEC-LABRADOR, *NEGOTIATION AND  
DEVELOPMENT OF A TRANSITION PLAN FOR A NEW HEALTH AND  
WELLNESS GOVERNANCE MODEL BY AND FOR FIRST NATIONS IN  
QUEBEC, 2025, RESOLUTION NO 05/2025, IN ENGLISH***

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# APNQL

ASSEMBLÉE DES PREMIÈRES NATIONS  
QUÉBEC-LABRADOR

# AFNQL

ASSEMBLY OF FIRST NATIONS  
QUEBEC-LABRADOR

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## RESOLUTION N<sup>o</sup>. 05/2025

### **NEGOTIATION AND DEVELOPMENT OF A TRANSITION PLAN FOR A NEW HEALTH AND WELLNESS GOVERNANCE MODEL BY AND FOR FIRST NATIONS IN QUEBEC**

- WHEREAS** every First Nation is a sovereign Nation that has an inherent right to autonomy and self-determination;
- WHEREAS** the health, traditional pharmacopoeias, child and family services and right to self-determination of First Nations are inherent and ancestral rights, as are their rights to unceded territories;
- WHEREAS** the health status indicators of First Nations in Quebec show stark differences in their living conditions compared to those of the Quebec and Canadian populations;
- WHEREAS** colonial powers have historically prevented First Nations from making their own decisions and delivering their own services in terms of health and social services;
- WHEREAS** to respond to these issues and support First Nations in taking over the delivery of their services, the First Nations of Quebec and Labrador Health and Social Services Commission (FNQLHSSC) was established by resolutions adopted by the AFNQL Chiefs on April 14 and 15, 1994 (hereinafter “Resolutions No. 3/94 and 6/94”);
- WHEREAS** the FNQLHSSC has developed its expertise and influence over time, supported in particular by Article 18 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP), adopted in September 2007, which states that “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own Indigenous decision-making institutions”;
- WHEREAS** Article 21.1 of the UNDRIP also supports the FNQLHSSC in its mission, stating that “Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security”;

- WHEREAS** the health and social services governance process is based on the *2007-2017 Blueprint*, which reaffirmed that the *status quo* in health and social services is not an option for First Nations in Quebec. This was supported by the motion adopted by the AFNQL Chiefs on February 19, 2014, entrusting the FNQLHSSC with the mandate to coordinate the health and social services governance project and specifying the vision, guiding principles and values of this important approach;
- WHEREAS** Resolution No. 10/2016 adopted by the AFNQL Chiefs on April 28, 2016, states that they mandate the FNQLHSSC to initiate steps and discussions with the provincial and federal governments to lay the formal foundations for a transition process toward a new governance model aiming to grant greater autonomy in health and social services to First Nations in Quebec;
- WHEREAS** the two motions adopted by the AFNQL Chiefs on June 13, 2017, specify the trajectory that the mandate delegated to the FNQLHSSC must take by allowing the AFNQL Chief to sign a tripartite memorandum of understanding formally committing the federal and provincial governments to resolve health and social services issues and to set up a reciprocal and joint planning cycle with First Nations in Quebec;
- WHEREAS** in August 2019, all parties signed the tripartite memorandum of understanding to formalize their political commitment to continue working collaboratively to develop a new health and wellness governance model;
- WHEREAS** the motion adopted on August 25, 2020, acknowledges the work done by the FNQLHSSC through the adoption of the decision-making process that established the reciprocal and joint planning cycle, all of which was described in an accompanying guide presented to the Chiefs;
- WHEREAS** the FNQLHSSC continued to co-develop the governance model through various mechanisms, including the first community tour;
- WHEREAS** the AFNQL Chiefs-in-Assembly have shown their support for Joyce's Principle, which aims to guarantee to all Indigenous people the right of equitable access, without any discrimination, to all social and health services, as well as the right to enjoy the best possible physical, mental, emotional and spiritual health. Joyce's Principle requires the recognition and respect of Indigenous peoples' traditional and living knowledge in all aspects of health;
- WHEREAS** through its *Department of Indigenous Services Act*, the Government of Canada has formalized its commitment to progressively transferring its responsibilities to Indigenous organizations and that the Minister of Indigenous Services Canada must enter into agreements with Indigenous organizations regarding service delivery and the transfer of responsibilities;
- WHEREAS** Canada must uphold its fiduciary responsibilities toward First Nations, notwithstanding its commitment to undertake the progressive transfer of its responsibilities;

- WHEREAS** in Resolution No. 01/23, the AFNQL Chiefs encourage other regional commissions and organizations to draw inspiration from the governance process work to carry a similar transfer of responsibilities in other areas;
- WHEREAS** the collective and community responsibilities of the new governance model co-developed with First Nations were discussed and validated during focus groups and at the FNQLHSSC pre-annual general assembly of July 17, 2024;
- WHEREAS** since the discussion at the pre-annual general assembly of July 17, 2024, the new governance model was presented as part of the FNQLHSSC's second community tour conducted from November 2024 to March 2025;
- WHEREAS** the new governance model was presented to the AFNQL Chiefs on March 26, 2025, and they have agreed to the following:
- BE IT RESOLVED TO:**
- MANDATE** the Chiefs Advisory Committee on the Health and Wellness Governance Process and the FNQLHSSC to create an ad hoc committee that will, among other things, establish a negotiating team and oversee its work;
- MANDATE** the negotiating team to negotiate with the Government of Canada and the Government of Quebec to develop an agreement in principle leading to the signing of a final agreement that will allow local First Nations governments to transfer federal health and wellness responsibilities to a health and wellness governance structure based on the new model presented to the AFNQL Chiefs on March 26, 2025;
- REQUIRE** the federal and provincial governments to provide the FNQLHSSC with the information and data they hold, and which are necessary for the negotiation and for the transfer of responsibilities in question;
- MANDATE** the FNQLHSSC to co-develop with First Nations an integrated health and wellness planning approach;
- MANDATE** the FNQLHSSC, pursuant to Resolutions No. 3/94 and 6/94, to develop a transition plan, and assist and support First Nations communities and organizations in preparing for this transition, all while respecting the autonomy and inherent right of First Nations to develop and provide culturally respectful health and wellness services;
- RECOGNIZE** that no clause in this resolution may impact any agreement that is currently in effect within a First Nations community or that will be negotiated in the future with the Government of Canada and the Government of Quebec;


**PRESENT**

to the AFNQL Chiefs the draft agreement in principle, the draft framework agreement and the funding agreement for adoption purposes in order to develop and implement the new First Nations health and wellness governance structure.

**MOVED BY: Chief Lance Haymond, Kebaowek**

**SECONDED BY: Chief Sipi Flamand, Manawan**

**ADOPTED BY CONSENSUS ON: MARCH 26, 2025, IN MONTRÉAL**



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Francis Verreault-Paul  
Chief of the AFNQL

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# **EXHIBIT CA-18**

May 16, 2025

**LETTER FROM PAULINE FROST, CHAIR OF THE NCCC, DATED JANUARY  
24, 2025, ADDRESSED TO THE GOVERNMENT OF CANADA, IN ENGLISH**

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January 24, 2025

***Sent by e-mail***

Right Honourable Justin Trudeau  
Prime Minister of Canada  
80 Wellington St.  
Ottawa, ON K1A 0A2  
E-mail: pm@pm.gc.ca

Honourable Patty Hajdu  
Minister of Indigenous Services Canada  
10 rue Wellington  
Gatineau, QC K1A 0H4  
E-mail: ministresa-ministeris@sac-isc.gc.ca

Honourable Gary Anandasangaree  
Minister of Crown Indigenous Relations  
and Northern Affairs Canada  
10 rue Wellington, Gatineau QC K1A 0H4  
E-mail: gary.anandasangaree-p@rcaanc-irnac.gc.ca

Dear Prime Minister and Ministers Hajdu and Anandasangaree:

**RE: Proposal to negotiate a letter of commitment in advance of March 24, 2025**

I write in my capacity as Chair of the National Children's Chiefs Commission (the "**NCCC**") to propose that we work collaboratively over the next two months on a letter of commitment in relation to a national agreement on long-term reform of First Nations child and family services ("**LTR Agreement**") and a process to address Jordan's Principle. We believe that delivering justice for all First Nations children isn't just the right thing to do – it is the necessary thing to do for our children, for our Nations, and for Canada. Doing so is also consistent with the Canadian Human Rights Tribunal's ("**CHRT**") merits decision (*First Nations Child and Family Caring Society of Canada et al v Attorney General of Canada (for the Minister of Indian and Northern Affairs, 2016 CHRT 2)* and subsequent orders.

The Chiefs, sitting together as the First Nations-in-Assembly, voted overwhelmingly on behalf of rights holders to establish the NCCC and mandated it to oversee further negotiations in relation to the LTR Agreement and Jordan's Principle, all while working collaboratively with the Assembly of First Nations Executive.

The NCCC, which is supported by skilled First Nations technical experts from across Canada, is comprised of: (i) one regional representative, an alternate, and their technician(s) from each of the eleven AFN regions; and (ii) one regional representative, an alternate, and their technician(s) for every region not represented by AFN. All regions except for Ontario have appointed their NCCC representatives through their regional processes, and the NCCC began to convene regular meetings in December 2024. The Commissioners bring considerable expertise in child and family services, Jordan's Principle, governance, inter-governmental relations, and negotiations.



We were pleased to hear the Prime Minister's remarks during Special Chiefs Assembly in December 2024 confirming that the \$47.8B earmarked in the draft final settlement agreement is still there and that Canada remains committed to reaching an agreement. Similar sentiments were echoed by the Minister of Indigenous Services Canada. These remarks confirm our shared interest and duty to ensure that this generation of First Nation children grows up free of all forms of discrimination and is able to live the lives that they wish to have and that their ancestors prayed for.

Canada's public statements in the wake of the AFN Special Chiefs Assembly in October 2024 suggest that the government has questions about: (i) the scale of funding required to satisfy the orders on First Nations child and family services; (ii) whether First Nations would consider a pathway that would, at some point in the future, end the CHRT's jurisdiction; and (iii) whether First Nations outside of Ontario are ready to proceed with a negotiated settlement.

In relation to the first issue, the NCCC is committed to an evidence-informed approach. Our experts have informed us that while there is a need for capacity building funds to ensure First Nations are set up for success and some expenditures such as capital, post-majority services, and band-representative services may need to continue at actuals for a limited time because there is insufficient evidence to project future costs, the overall funding envelope that is required to end discrimination in First Nations child and family services and ensure it never happens again is in the ballpark of what Canada previously proposed. This assumes a fair and equitable distribution among regions related to relevant factors such as the rates of over-representation of First Nations children in care, including in Ontario.

The NCCC is committed to maximizing the value of every dollar to deliver measurable outcomes for our First Nation children, youth, and families. We see important opportunities to re-allocate funding in the draft final settlement agreement in ways that will more directly benefit children and improve accountability to First Nations Leadership.

In relation to the second issue, the NCCC sees a pathway that would, at some point in the future, end the CHRT's jurisdiction.

In relation to readiness, the First Nations-in-Assembly passed clear resolutions directing a reset of negotiations. The NCCC is established and is supported by skilled First Nations technical experts from across Canada. We also benefit from the evidence-based research that has been completed that can inform the way forward. We are ready to discharge the sacred responsibilities we have been entrusted with by First Nations in our respective 11 regions.

The NCCC would like to meet with you, the AFN Executive, and the Caring Society at the earliest opportunity to gauge Canada's interest in entering into a binding letter of commitment before March 24, 2025, to secure existing commitments and to chart a pathway forward to resolve the CHRT proceeding on child and family services. We would

also welcome discussions to set a pathway to address current challenges and the long-term reform of Jordan's Principle. We will send more specific proposals on how we can address the outstanding issues next week to help inform our meeting.

Sincerely,



Chief Pauline Frost  
Chair, NCCC

c: NCCC

AFN Executive

Dr. Cindy Blackstock, Executive Director, Caring Society

Pierre Poilievre, Leader of the Conservative Party

Michelle Ferreri, Shadow Minister for Families, Children, and Social Development

Marilyn Gladu, Shadow Minister for Civil Liberties

Larry Brock, Shadow Minister for Justice and Attorney General of Canada

Jagmeet Singh, Leader of the NDP

Niki Ashton, Critic for Indigenous Services

Charlie Angus, Deputy Critic, Crown-Indigenous Relations

Lori Idlout, Critic, Indigenous Services

Yves-François Blanchet, Leader of the Bloc Québécois

Scott A. Smith and Liam A. Smith, interim legal counsel to the NCCC

Jenica Atwin, Parliamentary Secretary for Minister of ISC

Jaime Battiste, Parliamentary Secretary for Minister of CIRNAC

Deliah Bernard, Indigenous affairs advisor office of the Prime Minister of Canada

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# **EXHIBIT CA-19**

May 16, 2025

**LETTER FROM NATIONAL CHIEF CINDY WOODHOUSE NEPINAK, DATED  
MARCH 4, 2025, ADDRESSED TO THE GOVERNMENT OF CANADA, IN  
ENGLISH**

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March 4, 2025

The Honourable Patty Hajdu, P.C., M.P.  
Minister of Indigenous Services  
10 Wellington Street  
Gatineau, QC K1A 0H4

Dear Minister:

On behalf of the Assembly of First Nations (AFN), I write to you again to urge the Government of Canada to seek a revised mandate to negotiate a Final Agreement regarding the long-term reform of the First Nations Child and Family Services (FNCFS) Program.

As you are aware, the First Nations-in-Assembly provided the AFN with several new mandates on long-term reform by way of resolution in October and December of 2024. These mandates direct a new process for pursuing reform, including a new governance and oversight structure. The resolutions additionally call for extensive engagements, revised negotiation processes, and funding principles to be embedded in the process and revised Draft Agreement. Through these resolutions, we once again call on Canada to obtain a new negotiation mandate aligned with the resolutions, and to provide resources to advance the work.

We also want to be clear that the AFN supports the National Children's Chiefs Commission (NCCC) in its work on advancing the mandates of the First Nations-in-Assembly in relation to negotiating Final Agreements on long-term reform of the FNCFS Program and Jordan's Principle. We therefore also call on Canada to duly consider the NCCC's recent correspondence and take the necessary measures to facilitate the NCCC's critical role in long-term reform, as directed by the Chiefs.

We must continue to collaboratively advance this necessary and critical work for the benefit of First Nations children and families. I trust you remain committed to these efforts and would appreciate an update on the Government of Canada's mandate at your earliest convenience.

Megwetch,

*Chuxelhouse.*

Cindy Woodhouse Nepinak  
National Chief

Cc: AFN Executive Committee  
National Children's Chiefs Commission

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# **EXHIBIT CA-20**

May 16, 2025

**LETTER FROM THE MINISTER OF INDIGENOUS SERVICES CANADA, THE  
HONOURABLE PATTY HAJDU, DATED FEBRUARY 25, 2025, ADDRESSED  
TO PAULINE FROST, CHAIR OF THE NCCC, IN ENGLISH**

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Ottawa, Canada K1A 0H4

February 25, 2025

Chief Pauline Frost  
National Children's Chiefs Committee  
Our Children Our Way Secretariat  
200-100 Park Royal South  
WEST VANCOUVER BC V7T 1A2

[pauline.frost@vgfn.ca](mailto:pauline.frost@vgfn.ca)

Dear Chief Frost:

Thank you for your correspondence of January 24, 2025, sent to the Right Honourable Justin Trudeau, Prime Minister, the Honourable Gary Anandasangaree, Minister of Crown-Indigenous Relations and Northern Affairs, and myself in relation to a national agreement on long-term reform of the First Nations Child and Family Services Program.

The Agreement-in-Principle on Long-Term Reform of the First Nations Child and Family Services Program and Jordan's Principle signed by the Assembly of First Nations, Caring Society, Chiefs of Ontario, and Nishnawbe Aski Nation in December 2021, was an evidence-informed approach that provided a foundation for improving the lives of First Nation children and families across the country.

Canada remained committed to a First Nations-led approach to reforming the First Nations Child and Family Services Program, and developed a fully reformed Program in the Final Agreement with the rights holder Parties to the Canadian Human Rights Tribunal's complaint. The robust framework of reforms contained within the Final Agreement would have legally bound Canada to provide \$47.8 billion in stable and predictable funding over ten years for a fully reformed First Nations Child and Family Services Program that would have reduced the number of First Nation children in care and kept children connected to their families, communities, and cultures.

.../2

Canada remains committed to the implementation of the Canadian Human Rights Tribunal's orders, and to ending the discrimination identified by the Tribunal and preventing its recurrence.

There has been confusion regarding the role of the National Children's Chiefs Committee and whether you and the committee are the body that Canada should be working with, as the Assembly of First Nations has yet to clarify their role in relation to long-term reform of the First Nations Child and Family Services Program. Attached is the most recent correspondence from the Assembly of First Nations' counsel indicating that they are awaiting instructions on this issue. I would encourage the National Children's Chiefs Commission to work directly with officials from the Assembly of First Nations with respect to long-term reform of the First Nation Child and Family Services Program to clarify this situation.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'P. Hajdu', with a stylized flourish at the end.

The Honourable Patty Hajdu, P.C., M.P.

Encl.