

April 10, 2026

By Email

The Honourable Mandy Gull-Masty, P.C., M.P.
Minister of Indigenous Services Canada
House of Commons
Ottawa, ON K1A 0A6

Dear Minister,

Re: Letter to Chiefs of April 3, 2026.

We write further to your April 3, 2026 letter to Chiefs regarding Canada's proposed approach to long-term reform of First Nations Child and Family Services (FNCFS). In our view, the letter is misleading, omits key aspects of Canada's actual position on long-term reform, fails to reference the Loving Justice Plan, and, in totality, falls short of Canada's Honour of the Crown duties.

Canada's continued refusal to engage with the National Children's Chiefs Commission (Commission), the Caring Society, and the Assembly of First Nations is deeply concerning. Pursuant to AFN resolutions 3/2025, 88/2024, 89/2024, 90/2024 and 60 & 61/2024, the Commission holds a clear mandate from First Nations to negotiate long-term reform outside of Ontario. As the Tribunal noted in the OFA decision, meaningful engagement requires Canada to respect First Nations-established institutions and mandates. Canada's approach also ignores the Tribunal's strong encouragement to work with all three - the Commission, Caring Society and Assembly of First Nations - on national long-term reform. Canada's decision to bypass the Parties and engage in confidential discussions with individual First Nations undermines those mandates and raises serious concerns about the integrity of its process.

Your letter also mischaracterizes the legal status of Canada's proposed national framework. Critically, Canada's proposal has not been approved by the Tribunal. It is for the Tribunal to determine whether Canada's proposal satisfies its obligation to cease its discrimination and ensure it never recurs. Until then, Canada's proposal has no legal force and cannot properly be treated as an operative framework. Yet, the letter offers to negotiate regional agreements and proceeds as if the proposed national framework is established and authoritative.

Further, your letter omits material elements of Canada's stated position before the Tribunal. In its filed materials, Canada has stated its intention to implement the proposed national framework outside Ontario by April 1, 2027, regardless of whether regional, sub-regional, or Nation-specific agreements are reached. This timeline creates a baseless sense of urgency and suggests – problematically – that First Nations must immediately negotiate on Canada's terms to retain any role (however minimal) in governance or oversight. Such pressure is inconsistent with informed, rights-based decision-making grounded in transparency and respect for First Nations' authority, as required by the Honour of the Crown.

It was also noteworthy that your letter fails to mention the First Nations-led *Loving Justice* Plan. The *Loving Justice* Plan was designed by and for First Nations, as mandated by the First Nations-

in-Assembly, and submitted to the Tribunal as a comprehensive, rights-based approach to long-term reform grounded in enforceable human rights standards and accountability. Its absence from Canada's communication is difficult to reconcile with your stated commitments to First Nations-led solutions and self-determination.

These issues are not merely procedural. The Canadian Human Rights Act compels Canada to permanently cease its discriminatory conduct and ensure discrimination never recurs. Long-term remedies must therefore be effective, outcome focused, and consistent with Tribunal jurisprudence. Similarly, UNDRIP compels Canada to respect First Nations right to self-determination, obtain free, prior, and informed consent in matters affecting First Nations' children and, critically, to meaningfully engage with First Nations-led solutions that meet minimum human rights standards.

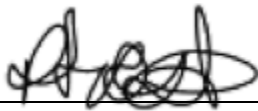
By excluding mandated parties from negotiations, treating an unapproved proposal as operational, withholding material information, and omitting reference to a duly mandated, First Nations-led plan, Canada has chosen a path that lacks transparency and fails to uphold its important domestic and international obligations.

Accordingly, we call on Canada to immediately write to Chiefs to clarify and, where necessary, correct the record arising from the April 3, 2026 letter, so that First Nations leadership can proceed in a fully informed and accurate basis. We also call on Canada to:

1. Explicitly acknowledge and engage with the Loving Justice Plan as a First Nations-mandated approach to long-term reform; and
2. Engage directly and in good faith with the National Children's Chiefs Commission, the Caring Society and Assembly of First Nations on long-term reform outside Ontario.

Finally, we draw your attention to our prior correspondence dated February 20, 2026, to which we would welcome a response.

Sincerely,



Chief Pauline Frost,
Chair, National Children's Chiefs Commission



Cindy Blackstock, PhD
First Nations Child and Family Caring
Society

CC: Regional Chief Francis Verreault-Paul,
National Chief and Executive, Assembly of First Nations
National Children's Chiefs Commission
Julia Carbone, Indigenous Services Canada