

# *Sovereign Nations of Treaty No. 8*

## *~Office of the Grand Chief~*

December 17, 2019

**HAND DELIVERED**

The Honorable Minister Rebecca Schulz  
Minister of Children's Services  
204 Legislature Building  
10800 – 97<sup>th</sup> Avenue  
Edmonton, AB T5K 2B6

*Via Hand-Delivered*

Dear Minister Schulz:

**Re: ADOPTION AND/OR PRIVATE GUARDIANSHIP CEASE AND DESIST – 3<sup>RD</sup> AND FINAL NOTICE**

On August 30, 2018, Grand Chief Noskey wrote a letter to then Minister Larivee, advising the Government of Alberta to Cease and Desist all adoptions and/or private guardianship of Treaty 8 Children. In addition, a copy of an Official Resolution R08-2012-09-27 from the Assembly of Treaty Chiefs that took place in 2012 was provided stating that the Government of Alberta 'terminate the process of private guardianship and adoption'.

We have raised this matter with Alberta Children's Services on more than one occasion and we have consistently demanded that your government cease and desist all Adoptions/and or Private Guardianship of all Treaty 8 Children, especially using "Category 4" of Treaty 8 First Nations children.

The impacts to Treaty 8 First Nations children as a result of Adoption or Private Guardianship is of grave concern to the Sovereign Treaty 8 Nations. The impacts to our children include, but not limited to:

- Loss of their Inherent Rights and Natural Laws, including their ability to hunt, fish, gather and trap freely; and,
- Connection to their culture, family and community (cannot participate in Nation activities as a result of their status number removed and a B-number given to them explicitly to access medical, dental and optical services); and,
- Several Indian Act amendments and effects to Indian Status Registry including membership, citizenship and status eligibility as a result of the 1985 Bill C-31, the 2011 Bill C-3 and the most current Bill S-3; and,
- Promises made under Treaty No. 8 when it was signed in 1899 such as Education (i.e. Funding and priority status as a result of waiting for a new status number to be assigned, a process that can take up to 3 years); and, or
- Any potential financial gains through any royalties, settlements, agriculture benefits, and per-capita distributions, etcetera; and,
- Loss of identity and ability to determine First Nation membership status (ex. must be able to answer membership eligibility criteria questions).

To Protect, Promote, Bring to Life, Implement and Sustain the True Spirit and Intent of Treaty No. 8

"as long as the sun shines, the grass grows, the rivers flow and until such time as yidah should reverse"

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Letter: Minister Schulz  
December 17, 2019

Under Section 35 of the Constitution Act, 1982, the existing aboriginal and Treaty rights of the Aboriginal peoples of Canada are hereby recognized and affirmed. Yet time and again, the Province of Alberta has continued to disregard the Treaty relationship with the Crown and disrespect the authority and jurisdiction of our Sovereign Treaty 8 Nations.

The Sovereign Treaty 8 Nations are in various stages of developing their own child well-being laws. Full cooperation will be required by all Alberta staff to ensure a smooth transition occurs as we bring our Children home. Lack of cooperation will not be tolerated. You must uphold the Honor of the Crown in respect of our Treaty.

Without any further delay, we expect a response on the above matters prior to January 7, 2020.

***Treaty 8 Nations have never given any authority to any government institution for our children, regardless of their residency.***

Regards,

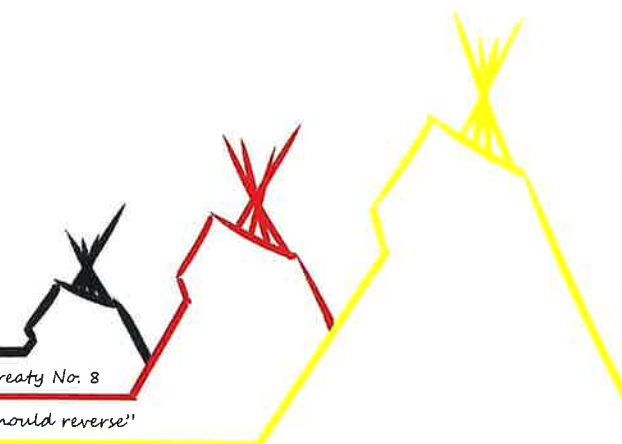


Arthur Noskey  
Grand Chief  
Treaty 8 First Nations of Alberta

c.c. Sovereign Treaty 8 Chiefs

Attachments:

- *letter of Aug 30, 2018.*
- *2012 Official Resolution*



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# Treaty 8 First Nations of Alberta

*To Protect, Promote, Bring to Life, Implement, and Sustain the True Spirit and Intent of Treaty No. 8 as long as the sun shines, the grass grows, and the waters flow.*

c/o Santa Fe Plaza  
18178 – 102 Avenue  
Edmonton, Alberta T5S 1S7  
Telephone: (780) 444-9366 Fax: (780) 484-1465  
[www.treaty8.ca](http://www.treaty8.ca)

The Honourable Danielle Larivee, MLA  
Minister of Children's Services and Minister of Status of Women  
204 Legislature Building  
10800 – 97 Avenue  
Edmonton, AB T5K 2B6

August 30, 2018

Dear Minister, Larivee,

The Treaty 8 Chiefs in Alberta met on August 28-29, 2018, in Edmonton to discuss matters of Child and Family Services. One of the issues discussed was Adoption and Private Guardianship, in relation to the use of "Category 4" to bypass decisions made by Chiefs and Councils regarding the children of their communities.

Minister, this has been an ongoing issue that has already been raised by all Alberta Chiefs. Attached is a copy of the Official Resolution (R08-2012-09-27) from the Assembly of Treaty Chiefs that was passed in 2012. For emphasis, please note the following excerpt from that resolution from six years ago:

**"BE IT THEREFORE RESOLVED:**

2. *That the Government of Alberta terminate the process of private guardianship and adoption..."*

Despite this Resolution from all Alberta Chiefs, your Ministry continues to proceed with the adoption and private guardianship of our children using "Category 4". In addition, this is being done regardless of what is being directed by the Chief and Council, as per their own Band Council Resolution, from the First Nation that the child belongs to.

Treaty 8 First Nations have never given any authority to any government institution for our children, regardless of their residency.

Treaty 8 First Nations demand that Alberta's Children's Services immediately cease and desist all Adoptions and/or Private Guardianship, especially using "Category 4" of our Treaty 8 children.

Thank you.

Grand Chief Arthur Noskey  
Treaty 8 First Nations of Alberta

**Head Office:**  
Kee Tas Kee Now Tribal Council  
P.O. Box 360  
Red Earth Creek, AB T0G 1X0  
Telephone: (780) 649-3103 Fax: (780) 649-2841



2012 Fall Assembly of Treaty Chiefs  
Treaty No. 6 – Treaty No. 7 – Treaty No. 8  
**OFFICIAL RESOLUTION R08-2012-09-27**

Resolution: R08-2012-09-27

Subject: **CONCERNS REGARDING FIRST NATIONS CHILDREN IN CARE,  
FUNDING AND ADMINISTRATIVE ISSUES**

Mover: Chief Marvin Yellowbird, Samson Cree Nation

Seconder: Chief James Jackson, Goodfish Lake First Nation

**WHEREAS:**

1. The Assembly of Treaty Chiefs of Treaty No. 6, Treaty No. 7, Treaty No. 8 [hereinafter Assembly of Treaty Chiefs] did meet in a duly convened assembly held at the Marriot River Cree, Enoch, Alberta in the Treaty Six Territory on September 26-28, 2012; and
2. The Chiefs of the Assembly of Treaty Chiefs derive their authority from the Creator and the citizens of their respective Nations/Tribes; and
3. In recognition of the United Nations Declaration of the Rights of Indigenous Peoples, passed by the United Nations Human Rights Council in Geneva on June 29, 2006 specific to Child rearing and wellbeing in Articles 3, 15 (3) 22 (2) 24 (1 and 2) 34; and
4. There are 18 delegated First Nation Child and Family Service Agencies (FNCFSA) delivering services to 40 of the 47 First Nations in Alberta; and
5. The Family Enhancement Framework Partnership, initiated by the Government of Canada, has not reduced the number of Indigenous children entering into the care of the Director; and
6. With implementation of the Treaty 6, 7 and 8 First Nations FNCFSA Family Framework, Indian and Northern Affairs Canada (INAC) (AANDC) introduced a new funding model, and the new funding model, or the Costing Model, implemented by INAC, at 6% of the total population of children in care, does not provide sufficient funding for FNCFSA's to deliver culturally-based and statutory Family Enhancement services on reserve at the level comparable to other children and families living off Reserve; and

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7. The salaries and benefits of the FNCFSA's are underfunded by 18% in comparison to their provincial counterparts; and
8. The operational funding provided by INAC does not reflect services comparable to the services provided by the Minister of Human Services Alberta; and
9. 75% of the children in care are Aboriginal and the Government of Alberta is providing funding for Aboriginal children and family service providers such as Bent Arrow and Creating Hope Society without the involvement of DFNA's.

**BE IT THEREFORE RESOLVED:**

1. That the Assembly of Treaty Chiefs agree that due to the huge off-reserve caseload of children in care, they urge the Province of Alberta to fund the establishment of off-reserve offices to allow DFNA's to case manage Treaty 6, 7, and 8 First Nation children in care, that is equitable; and
2. That the Government of Alberta terminate the process of private guardianship and adoption; and
3. That the Province of Alberta also be directed to fund Band Designate positions; and
4. Aboriginal Affairs Northern Development of Canada (AANDC) (INAC) be held accountable to ensure that the costing model reflects the Treaty 6, 7 & 8 First Nations CFSA Enhancement Framework commitment to reduce the number of aboriginal children coming into the care of the Director; and
5. That this process shall not abrogate or derogate Aboriginal and Treaty Rights affirmed in Section 35 of the *Canada Constitution Act*, 1980.

DECISION: Passed by Unanimous Consensus

Certified Correct:

  
Resolution Chair: Bobbi Herrera