

FASKEN

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

55 Metcalfe Street, Suite 1600
Ottawa, Ontario K1P 6L5
Canada

T +1 613 236 3882
+1 877 609 5685
F +1 613 230 6423
fasken.com

March 13, 2026

Peter Mantas
Direct Line / Fax +1 613 696 6886
pmantas@fasken.com

VIA E-MAIL

Registrar
Canadian Human Rights Tribunal
240 Sparks Street, 6th Floor West
Ottawa, Ontario K1A 1J4

Dear Registrar:

**Re: First Nations Child and Family Caring Society et al. v. Attorney General of Canada
(Tribunal File: T1340/7008)**

Pursuant to the Tribunal's direction dated February 23, 2026, we respond herein to the National Children Chiefs Commission's (NCCC) motion for interested party status.

I confirm that the Assembly of First Nations (AFN) maintains its position that the NCCC should be provided the opportunity to be heard by the Tribunal, in accordance with their existing mandates and to the extent necessary to ensure discrimination in First Nations Children and Family Services is eliminated without further delay. The AFN adopts, by reference, its Responding Written Submissions filed before the Tribunal on February 4, 2026, in support of its position on the motion.

However, in reviewing the NCCC's latest filing of its Notice of Motion and associated written submission, the AFN would like to offer some important clarifications regarding the role and relationship between the AFN and the NCCC to support the Tribunal's understanding.

The AFN is made up of principal organs that together are governed by the AFN's Charter. The principal organs include the First Nations-in-Assembly, the Executive Committee, the Secretariat and various Councils. The Secretariat is also known as the National Indian Brotherhood, which is a federally registered not-for-profit organization. All organs of the AFN must abide by the AFN Charter in its current state. Any proposed changes to the Charter must be brought to the First Nations-in-Assembly to vote on under a Charter-specific resolutions process.

The NCCC's mandate is derived from the First Nations-in-Assembly, a principal organ of the AFN. Although the NCCC acts independently from the AFN Executive Committee and the Secretariat, it must comply with the principles and rules set out in the AFN's Charter, including supporting the advancement of First Nations' self-determination.



FASKEN

The AFN is of the view that the NCCC is well-positioned to support the Tribunal to make final orders by offering perspectives and recommendations based on their existing mandates during this final remedy stage of these proceedings. However, the AFN must be clear that it cannot support any party to enter into litigation or otherwise that seeks to oppose any AFN member regions and/or First Nations who are charting their own self-determined pathway to the reform of their First Nations Child and Family services.

At this time, the AFN would like to clarify that in alignment with AFN's core mandate to uphold First Nation's right to self-determination, the AFN Executive Committee also passed a motion on December 19, 2025, stating their support for a region-by-region approach to long-term reform of First Nations Child and Family Services, in tandem with their support for the Caring Society's filing of a national plan, in principle.

I hope this provides the Tribunal further clarity on this matter.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Peter Mantas

Cc:

David Taylor, Henna Mohan, and Sarah Clarke – Counsel for the First Nations Child and Family Caring Society of Canada

Dayna Anderson, Paul Vickery, Sarah Bird and Alicia Dueck-Read – Counsel for the Attorney General of Canada

Maggie Wentz, Sinéad Dearman, Jenna Rogers, Jessie Stirling-Voss, Ashley Ash, and Katelyn Johnstone – Counsel for the Chiefs of Ontario

Julian Falconer and Meaghan Daniel – Counsel for the Nishnawbe Aski Nation

Justin Safayeni, Stephen Aylward and Geneviève Citron – Counsel for Amnesty International

Harold Cochrane, K.C. and Alyssa Cloutier – Counsel for the Southern Chiefs' Organization Inc.

FASKEN

Carly Fox and Jason Erbeznik – Counsel for the Assembly of Manitoba Chiefs

Alexandra Heine and Dan Goudge – Counsel for Our Children, Our Way Society

Pierre-Simon Cleary and Sophie Gagné – Counsel for the First Nations of Quebec and Labrador Health and Social Services Commission and the Assembly of First Nations Quebec-Labrador

Anshumala Juyal and Khizer Pervez – Counsel for the Canadian Human Rights Commission

Liam Smith, Tuma Young, K.C., Scott Smith, Alexander DeParde – Counsel for the National Children's Chiefs Commission

