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PEACE
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10, Ohiari:ha /June 2021

The Honourable Mathieu Lacombe
Ministère de la Famille
425, rue Jacques-Parizeau
4e étage
Québec (Quebec) G1R 4Z1

**Re: Mohawk Council of Kahnawà:ke Position and Recommendations concerning the review of the
*Educational Childcare Act and White Paper***

Wa'tkonnonhwerá:ton (Greetings),

Introduction

Our Indigenous Nations, communities and families have long asserted and exercised our inherent right to govern ourselves, including the crucial responsibility of nurturing, caring for and educating our children. The families and communities of Indigenous Nations are the only ones who possess the cultural sensitivity, knowledge and expertise required to respond to the unique needs and challenges that are faced in our communities in the area of childcare. While this right, which is enshrined in the *United Nations Declaration on the Rights of Indigenous Peoples*, has always been exercised by Kanien'kehá:ka families and communities, we must also acknowledge the other debilitating truth of the Residential School system. The governmental policies and practices of the past and present, and the continued trauma they have inflicted and continue to inflict on Indigenous Peoples, demonstrate all too well why Indigenous Nations must continue to educate, care for and protect our own children. It is only through the nurturing and education of our own children that we can fully heal from the wounds of the past and move towards a mutually respectful future.

In the spirit of safeguarding this path, and as a confirmation that Kahnawà:ke's jurisdiction and ability to fulfil this key role is respected and exercised, an *Agreement on Childcare* between the Mohawk Council of Kahnawà:ke (MCK) and the Government of Québec was signed in 1999, followed by a *Supplementary Agreement on Childcare* in 2003. A draft *Second Supplementary Agreement* (2005) remains unsigned. The Government of Québec's current review of the *Educational Childcare Act* presents a key opportunity to reinforce Québec and Kahnawà:ke's relationship, based on a Nation-to-Nation approach, and to ensure that the unique needs of all children receiving daycare services on the Mohawk Territory of Kahnawà:ke are addressed.

Firstly, the MCK appreciates the Ministry of Families' initiative to formally consult Indigenous Nations and communities at an early stage of the legislative process, prior to the drafting of its new bill. This is a promising first step to create legislation that upholds the peaceful and respectful coexistence of our Nations and jurisdictions. As the government is developing new legislative and regulatory measures to act on a range of issues affecting access and delivery of early childhood education services in Quebec, it will be crucial to ensure that these measures do not interfere with Kahnawà:ke's jurisdiction and ability to deliver comprehensive services to its children and families, which reflect Kahnawà:ke culture, values and best practices.

For this to occur, it is crucial that meaningful consultations take place, in the form of an iterative process, as the bill is developed. Consistent with the requirements of the duty to consult, the MCK expects to be engaged again once a bill is drafted to inform final decision-making affecting its rights and interests. A Nation-to-Nation approach is the only path, not only to ensure best access to culturally appropriate and quality care for Kahnawà:ke's children, but to foster a positive relationship between our Nations.

I. BACKGROUND, CONTEXT AND QUÉBEC-KAHNAWÀ:KE RELATIONS

1.1. *Overview of Kanien'kehá:ka (Mohawk) land rights, Aboriginal rights and jurisdictional rights*

The Kanien'kehá:ka (Mohawks) of Kahnawà:ke, as part of the Kanien'kehá:ka Nation, assert unextinguished Aboriginal title to our traditional territory. The Kanien'kehá:ka (Mohawks) of Kahnawà:ke also assert Aboriginal rights, including, but not limited to: hunting, fishing, gathering, commercial trading, self-government, and cultural rights. These rights are inherent rights, and also constitutionally protected Aboriginal rights, within the meaning of s. 35(1) of the *Constitution Act, 1982*.

They are jurisdictional rights based on our inherent rights and the Two Row Wampum treaty relationship. The Two Row Wampum is the most important diplomatic instrument in our history. Wampum belts were among the first documented agreements between First Nations and European settlers. The Two Row Wampum belt consists of two rows of purple beads separated by three rows of white. The white symbolizes the river of life or the land that we all now share. The two purple rows symbolize the Haudenosaunee and the Europeans traveling side by side, with mutual obligations but never interfering with each other's journey. Subsequent agreements were predicated upon this one, with each Nation recognizing the other's sovereignty. These principles must guide every aspect of the relationship between Kahnawà:ke and the Government of Québec, to this day.

1.2. *Indigenous Families and Communities' right to govern childcare and early childhood education under international law, as reaffirmed in the Viens Report*

The preamble of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) enshrines the inherent right of Indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child.

More specifically, the *Declaration* guarantees Indigenous People's right "to determine and develop priorities and strategies for exercising their right to development" and, in particular, "to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions" (Article 23). In addition, Article 14 guarantees Indigenous Peoples' right to "establish and control their educational systems and institutions

providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning”.

The *Declaration* outlines key roles and responsibilities for States to ensure the full realization of these rights, including:

- Taking effective measures and, where appropriate, special measures to ensure continuing improvement of [Indigenous Peoples] economic and social conditions, with particular attention to be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities (Article 22(2)).
- Taking effective measures, in conjunction with Indigenous Peoples, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language (Article 14(3)).
- Taking the necessary steps with a view to achieving progressively the full realization of Indigenous individuals’ equal right to the enjoyment of the highest attainable standard of physical and mental health (Article 24(2)).

These rights and responsibilities were reaffirmed in the Final Report of the *Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress* (“Viens Report”), which highlighted the “disastrous consequences brought about by the colonization and social and economic marginalization of Indigenous peoples over the past few centuries”¹, and identified specific recommendations in this regard. In the section dedicated to its finding on Health and Social Services, the *Commission d’enquête* states:

“Among other things, the adoption and implementation of the United Nations Declaration on the Rights of Indigenous Peoples would come to confirm the right of First Nations and Inuit to “access, without any discrimination, to all social and health services”. They are also guarantee “an equal right to the enjoyment of the highest attainable standard of physical and mental health”. Above all, the Declaration would make sure that “States shall take the necessary steps with a view to achieving progressively the full realization of this right”².

On October 8, 2019, the National Assembly of Québec unanimously adopted a resolution taking note of the conclusions of the Viens Commission’s Report and asking the Government to recognize the principles of UNDRIP and to commit to negotiating its implementation with First Nations and Inuit³. One year later, on October 1st, 2020, the National Assembly unanimously adopted a resolution asking the Premier to reach agreements with Indigenous authorities on the definition of the clauses and principles of the UNDRIP and to

¹ *Commission d’enquête sur les relations entre les Autochtones et certains services publics*, Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress, Final Report, p. 31 [*Viens Report*].

² *Viens Report*, p. 365, citing the *United Nations Declaration on the Rights of Indigenous Peoples*, September 13, 2007, GA Res. 61/295, art. 24 [UNDRIP].

³ National Assembly Resolution, October 8, 2019, *Prendre acte des conclusions de la commission Viens et demander au gouvernement de reconnaître les principes et de s’engager à négocier la mise en œuvre de la Déclaration des Nations unies sur les droits des peuples autochtones avec les Premières Nations et les Inuits*. Online : http://www.assnat.qc.ca/fr/travaux-parlementaires/assemblee-nationale/42-1/journal-debats/20191008/254021.html#_Toc21534834.

adopt necessary legislative amendments⁴. While these National Assembly Resolutions denote an interest in acknowledging the principles of the *Declaration*, they fall short of constituting decisive and meaningful commitments to fully respect, uphold and implement these principles, as informed by a whole-of-government approach.

The review of the *Educational Childcare Act* presents a key opportunity to move in the right direction and to support the full realization of these rights, as informed by a Nation-to-Nation approach. Below, we briefly outline the legal and political foundations for Kahnawà:ke's full exercise of authority and jurisdiction over childcare services. We then identify specific recommendations to ensure new legislation amending or replacing the *Educational Childcare Act* is consistent with this Nation-to-Nation approach.

1.3. Québec-Kahnawà:ke Relations, Relationship Framework and Agreements on Childcare

On October 15th, 1998, the Mohawk Council of Kahnawà:ke (MCK) and the Government of Québec formalized their relationship through a *Statement of Understanding and Mutual Respect* ("Statement of Understanding") signed by the Grand Chief of the MCK and the Premier of Québec. A *Framework Agreement between Québec and the Mohawks of Kahnawake* ("Framework Agreement"), establishing a working relationship for the continuation and revision of existing Sectoral Agreements and the development of new Sectoral Agreements on various subject matters of common interest, was also signed. Both *Statement* and *Framework Agreement* were renewed in 2009, and they are currently in the process of being reviewed. Kahnawà:ke's hope is that these agreements can provide a solid foundation to support the negotiation and implementation of agreements to achieve the respectful and peaceful coexistence of Kahnawà:ke and Québec's respective jurisdictions in all areas of the relationship, including Childcare services.

A *Childcare Agreement* was signed on March 30 of 1999, providing for the establishment and operation of an integrated centre for comprehensive childcare with specialized services for children, known as the *Step by Step Child and Family Centre* ("Step by Step"). In 2003, a *Supplementary Agreement* was signed to support implementation, focusing on the Kahnawà:ke Child and Family Service Authority ("Kahnawà:ke Childcare Authority – "KCA")'s mandate to oversee matters related to the health and safety of children receiving childcare services, as well as to foster their well-being and development pending the development and implementation of childcare legislation by Kahnawà:ke. This includes the authority to conduct inspections and issue childcare center permits within the Mohawk Territory of Kahnawà:ke. In this agreement, the parties also agreed to negotiate longer-term arrangements reflecting the cultural and social conditions of the community of Kahnawà:ke for childcare services within the Mohawk Territory of Kahnawà:ke. The parties also agreed to contemplate variances to the Québec legislative framework and to adopt measures to reflect the unique cultural and social conditions of the community of Kahnawà:ke.

⁴ National Assembly Resolution, October 1st, 2020, *Demander au premier ministre de s'entendre dans les meilleurs délais avec les autorités autochtones sur les définitions des dispositions et des principes de la Déclaration des Nations unies sur les droits des peuples autochtones afin d'élaborer et d'adopter les modifications législatives nécessaires*. Online: <http://www.assnat.qc.ca/fr/travaux-parlementaires/journaux-debats/index-jd/recherche.html?cat=ex&Session=jd4211se&Section=sujets&Requete=8813-6&Hier=D%c3%a9claration+des+Nations+unies+sur+les+droits+des+peuples+autochtones+ Mise+en+oeuvre+ Moti on+sans+pr%c3%a9avis+ 8813-6>.

In 2005, a *Second Supplementary Agreement on Childcare* was drafted, with the goal of further formalizing the KCA's role and mandate; defining the implementation requirements for the transfer of additional Childcare placements to the KCA; defining implementation requirements for the development of Home Childcare Services within the Mohawk Territory of Kahnawà:ke; and providing for operational funding for childcare placements allocated to the Childcare and Home Childcare placements to the Authority. The agreement contained a provision for the KCA to carry out its mandate in a way that strengthens and promotes Kahnawà:ke's jurisdiction, language and culture. While this agreement was not formally signed, it set the stage and consolidated building blocks for Kahnawà:ke's full exercise of authority and jurisdiction over childcare services. Consistent with a Nation-to-Nation approach, the coming legislation must support Indigenous Nations and communities' path to the full exercise of their inherent right to govern childcare.

1.4. *Kanien'kehá:ka of Kahnawà:ke approach to childcare and early childhood education*

Kahnawà:ke's institutions and services reflect the community's values and holistic approach to childcare and early childhood education, which aims at nurturing the emotional, spiritual, cultural, intellectual, and social growth and development of each child in partnership with their families. Some of the key values underlying this approach include:

- Inclusion: Over generations of time, elders have spoken of the traditions and values of a society which respects and dignifies each of its members equally;
- Culture and Language;
- Community and Parent involvement, reflecting parents' role as first teachers of their children.

Kahnawà:ke's integrated centre for comprehensive childcare, Step by Step Child and Family Centre (Step by Step), offers specialized services for children and holistic support for families, providing a comprehensive array of services and supports to children and their families which are culturally guided, evidence-based and associated with optimal child outcomes. In addition to the quality early childhood education program delivered within each classroom, all children and families are able to benefit from services which include screening and assessment, individualized education and family supports; and which draw upon speech and language pathology services, occupational and physical therapy services and supports, psychological services and supports as well as access to services related to health and nutrition.

Inclusivity is at the heart of Step by Step's vision and mission. The Step by Step model to providing services and support is a responsive, flexible and fluid process delivered by a collaborative professional team. It is highly individualized and is shaped by each respective child and family, their strengths, needs, desires and unique situation to ensure that every child belongs, regardless of their needs or abilities. This vision and mission, while so closely tied to the needs of each child, is also reflective of the reality of the community and the historical legacy of abuse and trauma suffered by our Nation and the Indigenous Nations throughout Canada.

II. ISSUES AND RECOMMENDATIONS

2.1. *Peaceful and respectful coexistence of jurisdictions*

In the 2003 *Supplementary Childcare Agreements*, Québec and Kahnawà:ke agreed on interim implementation steps, including the Kahnawà:ke Child and Family Service Authority ("Kahnawà:ke Childcare Authority", or

(“KCA”) mandate to oversee matters related to childcare and the issuance of permits as an interim measure. It was agreed that the KCA would temporarily apply Québec laws and regulations until such as time as Kahnawà:ke developed and enacted a legislative and regulatory framework to regulate childcare. The KCA has been acting in this capacity while the Kahnawà:ke Childcare Law is continuing in our own legislative process, the *Community Decision Making Process*. While currently in draft form, consultation and further community input will be coming in the near future.

In keeping with a Nation-to-Nation approach, it is crucial to ensure that Quebec’s legislation does not interfere with Kahnawà:ke’s jurisdiction with respect to Childcare and Early Childhood Education. This could take the form of a carve-out providing for the establishment and operation of Indigenous Nations and communities’ childcare regimes empowered by Indigenous Law, and for the joint establishment of mechanisms to coordinate overlapping areas and issues of concern.

The resumption of negotiations to renew the Childcare Agreement and conclude necessary supplementary agreements will help identify and implement specific mechanisms to ensure cooperation and smooth interactions between Quebec and Kahnawà:ke’s childcare and early childhood education systems, as well as any transition and implementation mechanisms and measures.

Recommendations:

- 1. Establish a carve-out for Indigenous Nations and communities to establish their own, culturally appropriate childcare and early childhood education systems, empowered by Indigenous Law, to be funded by jointly established mechanisms designed to be responsive to the specific needs of Indigenous communities.**
- 2. Provide additional Indigenous consultation and engagement opportunities once the bill is drafted to ensure conformity with a Nation-to-Nation approach.**

2.2. Funding

The funding envelope provided by Quebec and the accompanying guidelines on expenditures do not reflect Kahnawà:ke’s specific needs. Flexibility to allocate funds to best serve the needs of Kahnawà:ke’s children and families is key. As a trauma-informed comprehensive specialized service centre, Step by Step’s unique clientele calls for a trauma-informed approach, carried out by an interdisciplinary team whose members are to be identified and selected by Kahnawà:ke, according to its own criteria. For instance, where Québec requires an Early Childhood Education (ECE) certification, our classrooms may employ individuals with additional specialized training to support our inclusive environment and the range of services that is provided to children and families, based on their unique needs and situations. As a result, in order to ensure equitable and adequate remuneration, as well as flexibility to ensure responsiveness to specific needs, additional funding is required.

Ensuring such flexibility in the legislation would contribute to fulfilling the *Viens Report’s* Call for Action No. 76, which recognizes the importance of providing “sustainable funding for services and programs based on cultural safeguard principles developed for Indigenous Peoples”.

Recommendations:

- 3. Ensure flexibility in the new legislation for negotiating funding formulas meeting the unique needs of Indigenous communities, and institutions.**
- 4. Provide block funding based on registration rates and allow flexibility to allocate funds to best serve Indigenous communities' specific childcare needs.**

2.3. Reporting (financial and other)

Current Government of Québec criteria for reporting does not reflect Kahnawà:ke's priorities and approaches with respect to childcare and early childhood education. The application process is extremely Western and Eurocentric based, requires an excessive amount of time and resources to provide inconsequential data, without a corresponding positive impact on comprehensive childcare services or without resulting in funding adjustments to reflect evolving needs.

For instance, the required content of the yearly comprehensive activity report does not support an improved understanding of Kahnawà:ke's unique situation and the needs of our children and families, nor does it build on the expertise of our specialists. Guided by Kahnawà:ke's expertise, certain reporting exercises could become opportunities to construct and share knowledge, to gather baseline data to support institutional learning and improvement of practices and to strengthen our partnership and to determine funding needs. The current process does none of this.

Furthermore, any data gathering exercise taking place in Indigenous Nations and communities must comply with the OCAP principles on information governance. This means they must uphold the ownership and control of data by Indigenous Nations and communities, ensure full access to and decision-making by Nations and communities with respect to all data impacting them, and finally, ensure possession, or physical control of such data.⁵

Recommendations:

- 5. Provide for joint elaboration of reporting guidelines to meet the specific needs of Indigenous communities with respect to Childcare and Early Childhood Education, support the constant improvement of practices and inform the determination of funding requirements.**
- 6. Formally identify Indigenous regulatory bodies empowered by Indigenous Law, such as the Kahnawà:ke Childcare Authority, within the new legislation, as the bodies empowered to oversee all aspects of Indigenous childcare, including monitoring, accountability, and reporting.**
- 7. Include a legislative requirement that any data or information-gathering exercise involving or impacting Indigenous Nations and communities, including in the context of reporting, must comply with OCAP Principles.**

⁵ The principles of ownership, control, access, and possession, otherwise known as OCAP principles, establish how Indigenous Nations and communities' data and information will be collected, protected, used, or shared. For more information and resources, visit online: <https://fnigc.ca/fr/les-principes-de-pcap-des-premieres-nations/>.

2.4. *Access to funding for children with special needs*

The current application process for obtaining funding for children with “special needs” is time-consuming, requiring multiple and lengthy forms be completed to attest to the specific needs of the child (e.g. *Mesures exceptionnelles de soutien (enfants handicapés)*) and it fails to guarantee that needed support will be accessed. Step by Step’s inclusive philosophy and trauma-informed approach, outlined above, results in a higher ratio of children with special needs and/or handicaps. By housing all of the required specialized services which are fundamental to providing quality care and supports, Step by Step is able to provide timely, individualized and comprehensive services through direct contact with both children and families, on a daily basis.

Consistent with our *Childcare Agreement*, our institutions, namely our integrated center for comprehensive childcare with specialized services and our Childcare Authority, are in the best position to determine which children require specialized services and what resources must be allocated to support each child and their individualized education plan. Accordingly, Kahnawà:ke requires the ability to determine “special needs” criteria and ratios to reflect our community’s needs and approaches, and to access funding accordingly.

Recommendation:

- 8. Establish an accessible and collaborative mechanism to facilitate access to funding for children with “special needs” through a set of criteria developed with the support of recognized professionals.**
- 9. Ensure sufficient funding for all children with “special needs” or “handicaps” as identified by Step by Step and the Kahnawà:ke Childcare Authority.**

2.5. *Yearly Calendar*

Quebec requirements currently stipulate that Step by Step must submit a Yearly Calendar identifying 13 days of closure. Once submitted, the calendar cannot be modified without incurring penalties. Additional flexibility is needed to make changes as needed to meet the needs of our community. Additional days are needed to attend cultural and ceremonial activities.

Recommendations:

- 10. Provide additional flexibility to allow modifications to the Yearly Calendar to take place as needed to meet community needs, without penalty.**
- 11. Add 5 days to facilitate attendance of cultural and ceremonial needs.**

2.6. *Staff qualification, remuneration and pensions*

Quebec’s criteria relating to staff qualifications and the corresponding provincial salary scale do not align with the specialized training and level of skill required at Step by Step. Step by Step’s multidisciplinary teams require various trainings and certifications to meet the needs of each dynamic classroom. For instance, a single team may be composed of ECE certified staff, or professionals holding a BAC or social work degree, as required to work with our unique clientele. Flexibility is needed to identify needs and determine requirements in terms of professional qualifications of our staff.

Furthermore, the current envelope and provincial salary scale does not allow Step by Step to offer equitable and competitive salaries and working conditions when compared to other positions in the field of education. This lack of recognition for the profession fails to reflect the importance of childcare and the level of services provided at Step by Step. While the salary scale serves as a guideline, under the current level of funding, Step by Step's budgets would be compromised if we went above these recommendations.

Finally, measures must be implemented to ensure that employees of Indigenous communities' childcare services have equal access to Government of Québec support for pension funds. This is currently not the case, as a result of the Ministry's decision not to contribute to Step by Step's pension plan for the motive that it is not housed with the Government's preferred partner, being housed instead with the Régime des bénéficiaires autochtones (RBA), an Indigenous-run fund. Decision-making with respect to the management of pension plans should rest with Indigenous communities, and the Ministry should make funds available to Indigenous childcare services employers on a level equal to that provided to non-Indigenous childcare services providers and employers.

Recommendations:

- 12. Indigenous regulatory bodies, such as the Kahnawà:ke Child and Family Service Authority, must be the ones to establish their specific set of criteria to determine professional certification, training and qualifications requirements, based on professional assessments of their specific clientele's needs.**
- 13. Implement flexible and collaborative funding mechanisms to ensure sufficient resources are available that ensure equitable and competitive remuneration and working conditions for Indigenous childcare services staff.**
- 14. The flexible and collaborative funding mechanisms must include equitable government financial support for pension plans for Indigenous childcare service providers that are on par with funding provided to non-Indigenous daycare employees.**

2.7. Occupancy (registrations vs. attendance)

Quebec's criteria with respect to rates of enrollment and attendance is, once again, not aligned with Kahnawà:ke's realities, philosophy and values. More specifically, provincial permits require a 90% registration and 80% occupation rate. If registration and/or attendance fall short of this high threshold, funding is cut. Yet, many reasons unique to the reality of Kahnawà:ke may cause or require children to be absent for undetermined time periods. These realities include custody arrangements between parents or extended family members living on different Territories, the situation of ironworkers travelling for several weeks at a time for work and spending time with their children when at home, crises within families, and issues related to on-going issues of trauma and grieving. As a consequence of this 90% occupancy requirement, we are left with a situation of continuously having to find other children to fill spaces of children who cannot attend because of these various circumstances mentioned above if we want to avoid a funding cut. Regardless of whether or not we are at 90% occupancy, this level of funding is needed to provide culturally appropriate, comprehensive services to our community's children and families, and our Centre should not be penalized for these situations.

Kahnawà:ke requires the latitude to work with the needs of our community's families. Giving spots to new children or being penalized for lower attendance undermines Step by Step's ability to provide comprehensive

services. The high ratio of special needs and the vulnerability of children and families within our community do not allow for us to spontaneously integrate an additional child. Our intake process allows us to determine an overall service plan for the child and to establish the needs of each classroom prior to the child being integrated.

Recommendations:

- 15. Ensure full funding is provided based on registration rates as determined by permit obtained through KCA.**
- 16. Eliminate the practice of imposing funding cuts based on variations in occupancy.**

2.8. Permit requirements and renewal process

The permit renewal process is, again, time consuming and onerous, requiring excessive amounts of information that does not reflect Kahnawà:ke's reality and does not support the needs of the community or the delivery of comprehensive services for Kahnawà:ke's children and families.

Indigenous Childcare Authorities or Regulatory Bodies, such as the Kahnawà:ke Childcare Authority, are best positioned to determine appropriate criteria and requirements for permitting and permit renewal.

As highlighted above with respect to reporting, any data gathering exercise taking place in Indigenous Nations and communities must comply with the OCAP principles on information governance.

Recommendations:

- 17. Formally identify Indigenous Childcare legislation and Regulatory Bodies empowered under Indigenous Law as the bodies empowered to oversee all aspects of Indigenous childcare, including to develop and oversee the implementation of permitting requirements on the basis of Indigenous Communities' specific needs and realities.**
- 18. Include a legislative requirement that any data or information-gathering exercise involving or impacting Indigenous Nations and communities, including in the context of application for and renewal of permits, must comply with OCAP Principles.**

2.9. Language barrier

Currently, most of the required documentation is not available in English, and Kahnawà:ke's Québec counterparts mostly communicate in French. In light of Kahnawà:ke being a Kanien'kehá:ka community which communicates primarily in Kanien'keha (Mohawk) and English, this situation causes several delays and missed opportunities for collaboration and joint work to improve the delivery of services within the community. All parties should take necessary steps to ensure communication more fluid and open communication between the parties.

Recommendations:

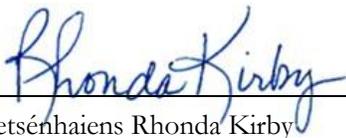
- 19. Provide access to English versions of all necessary documentation to Indigenous communities in order to facilitate better communication between the parties.**

Conclusion

The reasons outlined above demonstrate the need for Educational Childcare legislation that fully respects and upholds Indigenous Nations' inherent right and jurisdiction to care for, educate and protect our children. The above recommendations outline a clear path to move towards a mutually respectful future, as informed by a Nation-to-Nation approach. Nothing less than the health and well-being of our Indigenous communities, families and children, is at stake.

In Peace and Friendship,

**ON BEHALF OF THE OFFICE OF THE COUNCIL OF CHIEFS
MOHAWK COUNCIL OF KAHNAWÀ:KE**



Ietsénhaiens Rhonda Kirby
Portfolio Chief for Health

Rk/Nm-Smc/06102021/MinisterLacombe

cc. The Honourable Ian Lafrenière, Minister Responsible for Indigenous Affairs