



FEMMES AUTOCHTONES DU QUÉBEC INC.
QUEBEC NATIVE WOMEN INC.

PRESS RELEASE

For immediate release

QNW opposes Bill C-8 and supports the Liberal Hoist Motion

Kahnawake (May 21th, 2009) – Quebec Native Women joins the position of other Aboriginal groups in opposing the federal government's Bill C-8 on Family Homes on Reserves and Matrimonial Interests or Rights Act in its unilateral approach imposing legislation to Indigenous peoples in Canada.

The legislative solution proposed by Canada is inadequate and does not take into account the voice of those which it purports to protect.

It is important to note, that in reality, the consultation process was inadequate and was not conducted in a manner reflective of the honour of the Crown. Moreover, the final recommendations arising during consultations and identified in the ministerial representative's report were not included in the bill. Consultations were not only in contradiction with the honour of the Crown but also against the principles of good faith and reconciliation, basic elements of the Government's constitutional duty to consult.

The proposed legislation sets up federal laws that will once again, be imposed on Aboriginal peoples. In spite of providing opportunities for Aboriginal communities to create their own laws, it is only a delegated form of authority and only for communities who have entered into a land claims process. As well, further impact studies must also be carried out regarding the situation of Aboriginal communities in Quebec, due to the possible conflict with the province's civil code regime.

These aspects demonstrate the need to address the issue of matrimonial property in a holistic perspective inclusive of collective and individual rights. In order to ensure that Indigenous peoples, particularly women, would have equitable rights and benefits regarding matrimonial property, the Government must also deal with issues regarding the judicial access and application of this new legislation, as well as socio-economic aspects, such as violence, poverty and housing.

The fundamental flaws contained in Bill C-8 are not only structural but have been conducted undemocratically and must therefore be revised. QNW insists that the process of free, prior and informed consent be initiated once again so that negotiations may be conducted in good faith and that new legislation be created accommodating the concerns of Aboriginal women and their communities.

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For more info, please contact:

Aurelie Arnaud

Communications officer, Quebec Native Women

aarnaud@faq-qnw.org

Tel. : 450 632 0088, #227

Cell.: 514 239 0088