



Femmes Autochtones du Québec Inc.
Quebec Native Women Inc.

Kahnawake, June 26, 2008

Subject: Reaction to the Royal Assent given to Bill C-21

Quebec Native Women (QNW) is concerned about the recent adoption of the Bill C-21, *An Act to amend the Canadian Human Rights Act*, which has obtained the Royal Assent on June 18th.

QNW is particularly preoccupied by the lack of preliminary studies carried out before the adoption of this bill, because of the unknown impact that it will have upon Indigenous communities. Though the discrimination existing on reserve must be prevented, this new legislation could have negative and unexpected repercussions on the lives of those it is purporting to help.

Rights contained in the Canadian Charter have not been adapted to the Aboriginal legal culture. Even if the section 1.1 of the legislation explicitly states that it will not be construed so as to abrogate or derogate from the protection provided for existing Aboriginal or treaty rights, we still do not know what kind of impact this will have upon Aboriginal or treaty rights which have not been acknowledged yet. In fact, it is important to remember that Aboriginal peoples do not have the same rights as the rest of Canadian citizens because we are not Canadian citizens. Aboriginal peoples have been fighting for centuries to have equal rights, but those which originate from our cultures and our values. This will be achieved when Aboriginal peoples right to self-determination is respected and acknowledged.

There is a need to provide adequate support and resources during the transitional period of the implementation of Bill C-21 that is central to this issue. However, the amount designated to the Canadian Human Rights Commission is unknown, as well as the activities which will be targeted in the use of funds. This is due in part to the fact that no study has yet to identify the real needs of Indigenous Peoples in this regard. The Commission must insure that a special fund will be created to ensure this aim, rather than cut funding from other important resources in an already tight budget for Aboriginal peoples.

The haste of the federal Government to adopt inadequate bills which are not adapted to the Indigenous reality could have disastrous effects on our communities. We thus ask, once again, that a detailed study be carried out during the 36 months of transitional phase and that its conclusions be fully integrated in the application of the Bill. QNW also requests that the Commission hold a conference to inform and sensitize Indigenous communities on this legislation, on its consequences and on its anticipated implications.

Ellen Gabriel

President, Quebec Native Women