



INDIGENOUS ACTION CANADA

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Honourable Prime Minister, Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON
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RE: Canada's continued infringement on the inherent Indigenous right to self-determination and the Second Generation cutoff under the Indian Act

Canada has assigned itself a right through an Act of Parliament to define "Indians" through its own criteria set forth in the Indian Act and continues to perpetuate colonial, assimilationist and extinguishment policies. This approach fails to recognize the inherent rights for self-determination that Indigenous Nations hold.

The Second Generation Cut Off, under Section 6(2) of the Indian Act, by its failure to recognize the inherent right to self-determination is a dangerous policy that serves to extinguish Indigenous rights, infringe on treaty rights, and brings dishonour to the Crown. Generations of Indigenous children will be severed from their communal rights and their rights to benefit from treaty in years to come, if this policy continues.

Within the Community Specific Data Sheets on the Impact of the Second-Generation Cut-off: Ontario, we are forewarned that Indigenous populations will be severely diminished by government policy and intent.

"According to data kept in the Indian Register, Walpole Island has 4998 individuals who are registered under the Indian Act. Of the 4998 people registered, 1488 individuals have a single entitled parent and are registered under 6(2). This represents 30% of Walpole Island's registered population.*

This portion of your registered population will only be able to transmit entitlement to registration under the Indian Act to their children if they parent with an individual who is entitled. This is a result of the second-generation cut-off.

Over the course of a few generations, 30% of Walpole Island's population may no longer be able to have descendants who are registered under the Indian Act unless they parent with another entitled person. If they do not do so, their future descendants will no longer be entitled to registration under the Indian Act, and they may no longer have access to the rights, benefits and services that the government provides for individuals who are registered under the Indian Act. This also means that even as your Nation's population grows over time, Walpole Island's total registered populations are likely to decrease in size."

The Senate Standing Committee on Aboriginal Peoples has urgently recommended that the Government of Canada repeal section 6(2) of the Indian Act (the "second generation cut-off") that reduces the number of individuals with status.

"We believe the second generation cut-off perpetuates the policy of assimilation".

"Additionally, Article 33(1) [of UNDRIP] notes that "Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of [I]ndigenous individuals to obtain citizenship of the States in which they live."13 The committee is concerned that the federal government's ongoing control over registration under the Indian Act contradicts the articles of the Declaration."

The members of Indigenous Action Canada support the Senate Standing Committee on Aboriginal Peoples' call to repeal the second generation cut off policy.

Indigenous Nations require resources and financial support to rebuild governance systems that include mechanisms for National self determination. It is time for Canada to respect the right of Indigenous Nations to define themselves.

Respectfully submitted, on behalf of Indigenous Action Canada

Lorraine Rekmans

C.C

The Honourable Patty Hajdu, P.C., M.P., Minister of Indigenous Services

The Honourable Gary Anandasangaree, P.C., M.P., Minister of Crown-Indigenous Relations

Senate Standing Committee on Aboriginal Peoples APPA@sen.parl.gc.ca

Her Excellency Mary Simon, Governor General of Canada