

Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat

We answer your questions about the first Inuvialuit law

What is the law?

Called *Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat*, this Inuvialuit legislation will ensure that Inuvialuit children, youth, and families are supported wherever they live, to the benefit of Inuvialuit and the Inuvialuit culture.

The law, the name of which means “*Inuvialuit Family Way of Living Law*,” will require that Inuvialuit children in contact with child and family services systems anywhere in Canada are supported as much as possible so they can stay connected with their family, community, and culture.

You can read the whole law [here](#).

How does it work?

The law implements the inherent rights of Inuvialuit to govern Inuvialuit children, youth, and families, as established in UNDRIP and Bill C-92

On Jan. 1, 2020, the Government of Canada’s Bill C-92, also known as the ‘Act respecting First Nations, Inuit and Métis children, youth and families,’ came into force.

Under this federal law, Indigenous communities have the right to exercise jurisdiction over child and family services, based on their own history, culture and law. This jurisdiction is then recognized as federal law and given priority over provincial child and family services laws.

The law enables the IRC to take over all services and functions related to family welfare over time, but at the outset focuses on getting access to information and better controls to keep kids in community, where possible.

What are the main intentions of the law?

Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat introduces our jurisdiction over child and family services and has four guiding principles, based on what we heard from Inuvialuit Settlement Region communities over the course of the past year:

1. To ensure cultural continuity for each Inuvialuit child and youth, which is essential to wellbeing, and which includes serving each child and youth in their home community to the greatest extent possible;
2. To enhance the supports available to enable Inuvialuit families to thrive, reducing the need for intervention;
3. To improve information sharing for fully informed service provision, advocacy, and decision-making; and
4. To grow the exercise of Inuvialuit jurisdiction in child and family services at our own pace, in our own way.

Where does the law apply?

The law applies everywhere, across Canada. This law is to be applied by every court, tribunal or other decision-making body dealing with a child and family services matter or related matter involving an Inuvialuk child or youth.

How was the law developed?

IRC engaged in community consultations throughout 2021 to hear how communities want to care for their families and culture. Based on community input, we developed the law's guiding principles and worked to develop the legislation with the interests of Inuvialuit children and families first.

The law was passed by our Board on Nov. 24, and the new legislation was signed at a special ceremony. After it was passed, the IRC notified the governments of Canada, the Northwest Territories, Alberta and Yukon and requested to enter into coordination agreements about funding and operations.

What happens now?

The coordination agreement will be with federal, provincial and territorial governments. This is about implementing the law, not negotiating Inuvialuit jurisdiction.

The fiscal agreement will be to fund implementation and will be negotiated with the Government of Canada

These discussions have a one-year time limit, and if there is no agreement after one year of discussions despite IRC's best efforts, the law will come into full force and override territorial law and federal laws (except for the Canada Human Rights Act and a few similar federal laws) if there is a conflict.

This override process for the Inuvialuit Law is set out in An Act respecting First Nations, Inuit and Métis children, youth and families (Bill C-92), a federal law passed in 2019 and a law in which IRC participated in development.

What about other laws?

While all existing child and youth protection laws remain in force as this new legislation is implemented, the new law immediately requires all federal, territorial and provincial governments to meet certain standards when providing child and family services to Inuvialuit children, youth, and their families.

This means the IRC must be involved in child wellbeing cases as early as possible to ensure family support. This will also provide us with access to information so we know where our kids are, allowing us to make evidence based resource decisions.

Do we still have access to other services?

Existing services continue to Inuvialuit children, youth and families, and are not to be diminished by reason of this law, except to the extent a replacement of existing services by Inuvialuit services is specifically set out in this law or its regulations.

Why aren't we immediately taking children into our care?

The law enables us to take the full range of services and functions over time, but the IRC listened to the community and chose to introduce these services over time as we develop our own Inuvialuit capacity to deliver them successfully.

Who will run this program?

Through the Inuvialuit Social Development Program, the IRC will establish a new organization – Inuvialuit Qitunrariit Inuuniarnikkun Maligaksat – to lead this work and take on responsibility for child wellbeing and the implementation of the law. This new organization will build capacity over time, have its own Executive Director, and be governed by its own board.

Has anyone else done this?

Yes, other Indigenous governments have also exercised this legislative authority. We are the first Inuit body to do so.

Who will pay for this?

The IRC received funding from the Government of Canada to develop this law. Now, our negotiations will focus on establishing meaningful and sustainable funding for both the capital and operating costs associated with these new services and responsibilities.

Why was notice served to Yukon, NWT and Alberta?

Outside of the Northwest Territories, this is where we know the majority of our beneficiaries are located. But the law will apply across Canada.

What does the name mean?

The law's name was developed by Elders and represents all dialects.

Qitunrariit (Kit-oon-rah-reet) = inclusive of the entire family (ancestors and descendants)

Inuuniarnikkun (In-oo-nee-ar-nik-koon) = how our life is supposed to be

Maligaksat (Mal-ee-yak-sut) = criteria we must follow

Translates to = Inuvialuit Family Way of Living Law