



ASSEMBLY OF FIRST NATIONS
Special Chiefs Assembly

December 5-7, 2023

Shaw Centre – Ottawa, Ontario

*Ottawa is located on the unceded unsundered
Territory of the Algonquin People.*

ASSEMBLÉE DES PREMIÈRES NATIONS
Assemblée extraordinaire des Chefs

Du 5 au 7 décembre 2023

Centre Shaw - Ottawa (Ontario)

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du peuple algonquin.*



Dialogue Session Technical Update on First Nations Child and Family Services and Jordan's Principle Long-Term Reform

Monday, December 4, 2023

Stephanie Wellman, Director of Social Development, AFN



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Background & Timeline

- **2007:** AFN and Caring Society filed a complaint with the Canadian Human Rights Tribunal (CHRT)
- **2016:** CHRT found Canada is discriminating against First Nations children and families under the First Nations Child and Family Services (FNCFS) Program and Jordan's Principle, ordering Canada to reform FNCFS and fully implement Jordan's Principle
- **2021:** AFN, Canada and other Parties reach Agreement-in-Principle on long-term reform
- **Present:** Continued negotiations towards a Final Settlement Agreement (FSA) on long-term reform



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AFN Mandates and Advocacy

• AFN Resolution 40/2022, To Ensure Quality of Life to the First Nations Child and Family Services Program and Jordan's Principle:

- Directs Canada to ensure interim and long-term reform measures are flexible and do not disrupt current funding levels.
- Directs Canada to increase funding above \$19 billion to enable service delivery based on substantive equality, best interests of the child, culturally appropriate care, and reflects community contexts.
- Directs the Parties to develop evidence- and policy-based options for Jordan's Principle implementation.
- Calls on Canada to extend timeframes for signing an FSA and to ensure First Nations' rights to exercise free, prior and informed consent are upheld.
- Calls on Canada to ensure liability protection for First Nations, and to continue funding capital at actual costs under 2021 CHRT 41.



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Path Forward for Long-Term Reform

- Pursuant to mandate in AFN Resolution 40/2022, AFN and Caring Society developed the path forward to ensure timelines align with research and uphold free, prior and informed consent.
- Negotiations towards a Final Settlement Agreement on long-term reform are resuming and are expected to continue into 2024.



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Update and Next Steps for Compensation

Update:

- The CHRT and Federal Court of Canada have approved the FSA on Compensation, valued at \$23.34 billion

Next Steps:

- Development of the Distribution Protocol, engagement with First Nations and approval of the Federal Court of Canada
- Implementation of wellness supports for class members
- Distribution of compensation to Removed Child Class beginning in 2024

For more information, visit www.fnchildcompensation.ca and www.fnchildclaims.ca