
Assembly of First Nations

55 Metcalfe Street, Suite 1600
Ottawa, Ontario K1P 6L5
Telephone: 613-241-6789 Fax: 613-241-5808
www.afn.ca



Assemblée des Premières Nations

55, rue Metcalfe, Suite 1600
Ottawa (Ontario) K1P 6L5
Téléphone: 613-241-6789 Télécopieur: 613-241-5808
www.afn.ca

ANNUAL GENERAL ASSEMBLY
July 6, 7 & 8, Ottawa (Ontario)

Resolution no. 05/2021

TITLE: Allocation of Early Learning and Child Care Investments in Budget 2021

SUBJECT: Early Learning and Child Care (Health, Social, Education)

MOVED BY: Chief George Ginnish, Natoaganeg First Nation, NB

SECONDED BY: Chief Alvin Francis, Nekaneet First Nation, SK

DECISION Approved by the AFN Executive Committee by consensus

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:

- i. Article 2: Indigenous Peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.
- ii. Article 5: Indigenous Peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.
- iii. Article 14 (2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
- iv. Article 14 (3): States shall, in conjunction with Indigenous Peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.
- v. Article 21 (1): Indigenous Peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

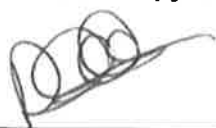
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- vi. Article 23: Indigenous Peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.
- B. Assembly of First Nations (AFN) Resolution 83/2017, *Support for the National First Nations Early Learning and Child Care Policy Framework*, adopted a framework that articulates a First Nations vision towards a system of high-quality, culturally-based and holistic Early Learning and Child Care (ELCC) for all First Nations children. The Framework recognizes that First Nations are a distinct people with rights to self-determination, including the right to control the design, delivery, and administration of ELCC.
- C. The National Expert Working Group (NEWG) on First Nations ELCC was mandated by AFN Resolution 39/2016, *First Nations National Working Group on Early Learning and Child Care (ELCC)*, to oversee the national engagement process to inform the Indigenous ELCC Framework and to lead the work on First Nations ELCC at the national level.
- D. In September 2018, the Indigenous ELCC Framework was released, with Canada committing up to \$1.02 billion over 10 years for First Nations ELCC service delivery, program enhancement and expansion, partnerships and governance, to be divided nationally as directed by First Nations. This investment was part of Canada's Indigenous ELCC Transformation Initiative, which enables greater Indigenous control in ELCC governance, decisions, and investments, and upholds a principle of local and regional decision-making and control.
- E. AFN Resolution 59/2018, *First Nations Early Learning and Child Care Regional Funding Allocation Approach*, directed the allocation of these funds on an interim basis based on the following formula:
 - i. Per capita funding based on the Modified Berger Formula using the Indian Registration System population counts of on and off -reserve children aged 0-6, weighted for remoteness.
- F. The current funding allocation model was provided as an interim measure to ensure that First Nations ELCC funding was distributed in a timely manner. The interim model fails to account for needs-based factors.
- G. The NEWG is expected to report back to Chiefs-in-Assembly in December 2021 with a revised, long-term First Nations-determined funding model for ELCC, as mandated by AFN Resolution 20/2020, *Extension of Interim First Nations Early Learning and Child Care Funding Allocation Approach*.
- H. In the 2020 Speech from the Throne, Canada made commitments towards a national system of childcare for all children in Canada. Budget 2021 commits to enshrining the principles of a national system in federal legislation on ELCC.

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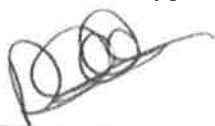
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- I. Budget 2021 proposed to invest \$30 billion over five years in new funding in ELCC, of which \$2.5 billion over five years is committed to Indigenous ELCC, specifically:
 - i. Over five years, \$768.11 million is dedicated to First Nations ELCC programs and services, and \$110.4 million is dedicated to First Nations ELCC governance capacity.
 - ii. In 2021-22, \$46.46 million is available for First Nations ELCC programs and services, and \$22.08 million is available for First Nations ELCC governance capacity.
- J. Employment and Social Development Canada (ESDC) has indicated that the First Nations portion of Budget 2021 ELCC funds for governance capacity and programs and services are subject to direction by Chiefs-in-Assembly, including its allocation across regions. Without a resolution on regional allocation of Budget 2021 funds for First Nations governance capacity and programs and services, there is a risk that First Nations funding may lapse or be reprofiled.
- K. First Nations assert their rights and jurisdiction in a multitude of ways, including collectively, through Historic Treaties, Modern Treaties, Self-Government Agreement and other mechanisms. The Government of Canada has an obligation to ensure that all First Nations, regardless of the mechanisms they choose to assert their rights and jurisdiction, have equitable access to ELCC funds.
- L. Canada has not funded the AFN or the NEWG in over two fiscal years for national-level work. The NEWG has consistently called for funding to support national-level work on governance capacity and has affirmed that this funding cannot come at the expense of investments in regional governance, programs or services.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

- 1. Support the application of the interim funding model from Assembly of First Nations (AFN) Resolution 59/2018, *First Nations Early Learning and Child Care Regional Funding Allocation Approach*, to Budget 2021 investments in First Nations Early Learning and Child Care (ELCC) for governance capacity and programs and services for the current fiscal year, until March 31, 2022, based on the following formula:
 - a. Per capita funding based on the Modified Berger Formula using the Indian Registration System population counts of on and off-reserve children aged 0-6, weighted for remoteness.
- 2. Direct the AFN to call on Canada to adequately and immediately fund national-level ELCC work at the AFN and the National Expert Working Group (NEWG) on First Nations ELCC.
- 3. Direct the AFN to establish a Chiefs' Committee on Early Learning and Child Care to provide direction for the implementation of Budget 2021 investments and the ongoing implementation of the First Nations and Indigenous ELCC Frameworks.

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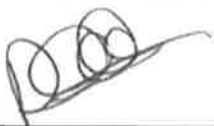
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4. Direct the Chiefs' Committee on Early Learning and Child Care to report to the Chiefs-in-Assembly in December 2021.

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