
Assembly of First Nations

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Assemblée des Premières Nations

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SPECIAL CHIEFS ASSEMBLY
December 6,7,8, 2022, Ottawa, ON

Resolution no. 36/2022

TITLE: Reopening of Indian Residential Schools Settlement Agreement

SUBJECT: Indian Residential Schools

MOVED BY: Kúkpi7 Judy Wilson, Neskonlith Indian Band, BC

SECONDED BY: Chief Roberta Joseph, Trondëk Hwëch'in, YT

DECISION Carried by consensus

WHEREAS:

- A. The United Declaration on the Rights of Indigenous Peoples Nations (UN Declaration) states:
- i. Article 8, (2): States shall provide effective mechanisms for prevention of, and redress for:
 - a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.
 - d) Any form of forced assimilation or integration.
- B. The Indian Residential School Settlement Agreement (IRSSA) was implemented in September of 2007 and included a process for Residential School Survivors to receive the Common Experience Payment (CEP) for residing at an Indian Residential School; and compensation for severe claims of physical and sexual abuse suffered in connection with a Residential School under the Independent Assessment Process (IAP).
- C. The deadline to submit a claim to the IAP was September 19, 2012.
- D. Survivors and their families suffered and continue to suffer long-term harmful effects from their attendance at Residential Schools.
- E. Thousands of Residential School survivors did not submit a claim by the deadline due to the harmful effects of Residential School and difficulties obtaining adequate mental health, wellness, cultural and legal support.

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- F. The deadline of September 19, 2012, did not provide survivors with adequate time to file their claims in the IAP as thousands suffered from mental health and wellness issues, homelessness, issues of remoteness and incarceration, among other things.
- G. Thousands of Residential School survivors did not submit a claim or otherwise missed the deadline.
- H. Thousands of survivors who did submit a claim did not receive adequate compensation for their experience at Residential School and the ongoing harm it caused to themselves and their families.
- I. Thousands of survivors who submitted claims in the IAP were not treated fairly and were subjected to re-traumatization, which impacted their ability to get the amount of compensation they were entitled to under the IAP.
- J. The ongoing severe harmful impacts of Residential Schools on individuals, families and communities persists.
- K. There is an ongoing need for healing and wellness support in the form of First Nations-led measures and institutions to address ongoing systemic issues caused by Residential Schools.
- L. Insufficient funds, whether by surplus or otherwise, were not appropriately allocated to compensate survivors or address ongoing needs through healing, wellness and substance abuse treatment facilities and services, housing, education, post-secondary education, and cultural revitalization.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Call on the Government of Canada to immediately reopen the Indian Residential School Settlement Agreement (IRSSA) for survivors that missed the Deadline to file a claim for their experiences at Residential School or to facilitate a process, in consultation with First Nations leaders, to provide adequate compensation to which survivors are entitled.
2. Call on the Government of Canada to immediately ensure that sufficient monies, either by surplus under the IRSSA or otherwise, be allocated to First Nations-led measures and institutions to promote and foster healing for survivors and their families.
3. Call on the Assembly of First Nations to negotiate, as a party to the IRSSA, to reopen the IRSSA or negotiate a process, in consultation with First Nations leaders, to provide adequate compensation to which survivors are entitled.

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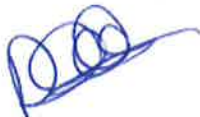
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4. Call on the Government of Canada to allocate further financial resources to First Nations-led measures and institutions for the purpose of addressing the ongoing harmful effects of Residential Schools.

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