

Assembly of First Nations

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SPECIAL CHIEFS ASSEMBLY
December 2-3-4, 2025, Ottawa, ON

Resolution no. 41/2025

TITLE: Affirm Non-Insured Health Benefits Dental Program Independence from the Canadian Dental Care Plan

SUBJECT: Health

MOVED BY: Chief Edwin Ananas, Beardy's & Okemasis Cree Nations, SK

SECONDED BY: Proxy, Brian Hardlotte, Sturgeon Lake First Nation, SK

DECISION: Carried by consensus

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (2007) (UN Declaration), outlines the rights and protections for Indigenous Peoples globally and was passed legislatively by Canada on June 21, 2021, particularly:
- i. 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.
 - ii. Article 24(1): Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
 - iii. Article 24(2): Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.
 - iv. Article 39: Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration [including health services].

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- B.** The *Truth and Reconciliation Commission of Canada: Calls to Action* (2015) outlines specific steps to address the legacy of residential schools and advance reconciliation in Canada, specifically Calls-to-Action:
18. We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
 19. We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess longer trends. Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
- C.** The *Summary Report on the Assembly of First Nations (AFN) Non-Insured Health Benefits (NIHB) National Dialogue Session* (2023), emphasizes the need for culturally safe, accessible, and preventative oral health care for First Nations by addressing systemic barriers.
- D.** The Office of the Auditor General of Canada (2025) found that Indigenous Services Canada (ISC) failed to make sufficient progress in improving health outcomes for First Nations and emphasized that federal programs must be strengthened to support First Nations-specific delivery models.
- E.** The NIHB Dental Program is a federally funded benefit, administered by ISC, to serve First Nations people as a distinct and culturally-appropriate oral health benefit and is rooted in the recognition of Treaty and constitutional rights to health services.
- F.** The Canadian Dental Care Plan (CDCP), introduced in May 2024, is designed to expand access to oral healthcare for Canadians, however, it does not reflect the same legal, cultural, or historical foundations as the NIHB Dental Program.
- G.** There are growing concerns about the NIHB Dental Program ever merging with the CDCP. Should this merger occur, the Government of Canada risks undermining First Nations people's distinct rights to self-determined, culturally-appropriate healthcare, diluting its legal obligations of the Crown, leading to a further erosion of trust by First Nations people.
- H.** The House of Commons Standing Committee on Indigenous and Northern Affairs 2022 report, *Moving Towards Improving the Health of Indigenous Peoples of Canada: Accessibility and Administration of the Non-Insured Health Benefits Program* (2022) reinforced the importance of maintaining the distinct nature of NIHB dental care to ensure culturally responsive care for Indigenous communities and aligns with First Nations' concerns about the erosion of Treaty rights and constitutional recognition, if NIHB dental services were merged into the CDCP.
- I.** The *Report for the Joint Review of Non-Insured Health Benefit* (2016) highlights significant systemic challenges, barriers to access, lack of transparency, and administrative inefficiencies that are relevant today, that will be exacerbated by merging the NIHB dental program into the CDCP.

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

1. Urge the Government of Canada to affirm its ongoing commitment and guarantee that the Non-Insured Health Benefits (NIHB) Dental Program retains a distinct, First Nation-specific benefit, separate from the Canadian Dental Care Plan (CDCP), and reject any integration within the CDCP that may compromise the Government of Canada's legal and moral obligations to First Nations health and wellbeing.
2. Mandate the Assembly of First Nations (AFN) to collaborate with the Indigenous Services Canada NIHB Dental Program and First Nations regional partners to strengthen this program by addressing and strengthening the longstanding and ongoing oral health access barriers and cultural safety challenges, as identified in the 2016 Joint Review report and the 2025 Auditors General report.
3. Mandate the AFN to ensure all federal health reforms, such as the CDCP, are guided by the *United Nations Declaration on the Rights of Indigenous Peoples*, the Truth and Reconciliation Commission Calls to Action, and other reconciliation-aligned policy frameworks, to ensure First Nations peoples retain full authority to design, deliver, and govern their own health services, such as oral health.

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