

FIRST NATIONS SUMMIT

RESOLUTION #0216.08

SUBJECT: SUPPORT FOR THE LANDMARK CANADIAN HUMAN RIGHTS TRIBUNAL RULING IN *FIRST NATIONS CHILD & FAMILY CARING SOCIETY OF CANADA ET AL. V. ATTORNEY GENERAL OF CANADA (FOR THE MINISTER OF INDIAN AND NORTHERN AFFAIRS CANADA), 2016 CHRT 2*

WHEREAS:

- A. On January 26, 2016, the Canadian Human Rights Tribunal issued a landmark ruling in *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)* accessible at: <http://decisions.chrt-tcdp.gc.ca/chrttcdp/decisions/en/item/127700/index.do>.
- B. The Tribunal found that the Canadian government is racially discriminating against 163,000 First Nations children and their families by providing flawed and inequitable child welfare services and failing to implement Jordan's Principle which is designed to ensure equitable access to government services available to other children.
- C. In particular, the Tribunal found that the federal funding formula provides First Nations child and family services agencies with fewer resources than their provincial counterparts.
- D. Further, the Tribunal noted that several years ago, federal government representatives estimated that the funding shortfall was between 22 % and 34 % less than what other non-Indigenous children receive.
- E. Moreover, the Tribunal found that federal funding formulas and policies create a perverse incentive to place First Nations children in foster care and do not address the cultural needs of children.

THEREFORE BE IT RESOLVED:

That the First Nations Summit Chiefs in Assembly urge the federal government to:

- a. not appeal, but uphold the landmark Canadian Human Rights Tribunal ruling in *First Nations Child & Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada), 2016 CHRT 2*; and
- b. take immediate steps to implement all of the recommendations put forth by the First Nations Child & Family Caring Society and the Assembly of First Nations to address the fiscal inequities, deficiencies in human resource capacity and overall child and family funding inadequacies.

PAGE TWO

RESOLUTION #0216.08

SUBJECT: SUPPORT FOR THE LANDMARK CANADIAN HUMAN RIGHTS TRIBUNAL RULING IN *FIRST NATIONS CHILD & FAMILY CARING SOCIETY OF CANADA ET AL. V. ATTORNEY GENERAL OF CANADA (FOR THE MINISTER OF INDIAN AND NORTHERN AFFAIRS CANADA)*, 2016 CHRT 2


MOVED BY: President Debra Foxcroft, Nuu-chah-nulth Tribal Council

SECONDED BY: Chief Willie Blackwater, Gitsegukla First Nation

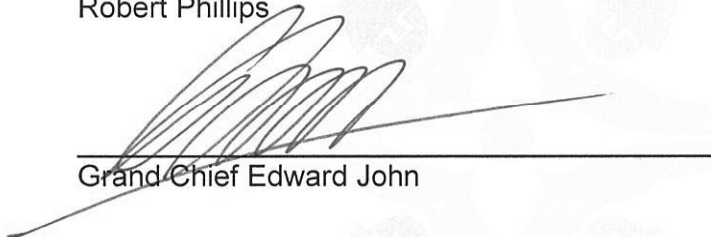
DATED: February 5, 2016

Passed by consensus.

ENDORSED BY:


Cheryl Casimer


Robert Phillips


Grand Chief Edward John