

October 9, 2024

NISHNAWBE ASKI NATION SPECIAL CHIEFS ASSEMBLY: FINAL SETTLEMENT AGREEMENT RATIFICATION VOTE

MYTH

Remoteness adjustments will only benefit NAN First Nations, and other First Nations are not getting remoteness adjustment funding.

FACT

There are remote First Nations across the country who will be receiving remoteness adjustment funding. NAN First Nations are not the only remote First Nations who benefit from remoteness adjustments. The remoteness research done by NAN will benefit First Nations across the country.

MYTH

Agencies are not receiving funding in the agreement.

FACT

First Nations Child and Family Services Agencies receive approximately 1/3 of the funding committed to in this agreement. Further, the Final Agreement does not change or decrease the way Ontario FNCFS Agencies are funded by the provincial government. Agencies will continue to receive prevention funding if their First Nation chooses to have them continue to deliver prevention services. Agencies will receive new funding from the emergency top-up which is split between agencies and First Nations.

SCOPE AND PURPOSE OF THE FINAL AGREEMENT

The Final Agreement is part of Canada's broader mandate to settle the Canadian Human Rights Tribunal (CHRT) litigation concerning the discriminatory funding of First Nations Child and Family Services (FNCFS) on-reserve.

This litigation highlighted systemic discrimination against First Nations children living on reserve due to unequal funding for FNCFS Agencies, lack of prevention services, and disparities in the application of Jordan's Principle.

The CHRT ordered Canada to end discrimination in the FNCFS Program, reform the 1965 Agreement, and fully implement Jordan's Principle to ensure equal services for First Nations children.

The Final Agreement represents a significant step toward these objectives by specifically addressing the long-term reform of the FNCFS Program .

The Final Agreement on reform of the FNCFS program is separate from compensation.

MYTH

The quality of services will decrease as a result of this agreement.

FACT

The reformed program under the agreement will have increased First Nations control over service delivery, and the services they want to deliver to their communities.

COMMITMENT OF FUNDS FOR 10+ YEARS

The Final Agreement commits \$47.8 billion over 10 years, retroactive to April 1, 2024, to implement a reformed FNCFS Program.

Canada continues to be legally obligated to not discriminate against First Nations children following the expiry of the agreement.

Funding is allocated to support Agencies and First Nations. It is important to note that the Assembly of First Nations, Chiefs of Ontario, and Nishnawbe Aski Nation are not receiving operational funding under the FA. There will be funding to support the parties participation in the Reform Implementation Committee, which will be established to oversee and monitor the implementation of the reformed FNCFS program.



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MYTH

First Nations in Ontario are receiving special treatment in this agreement.

FACT

First Nations in Ontario receive funding for Band Rep in a different way than in the rest of the country. This is because in Ontario, Band Representative Services have been operating for decades, and in 2018 Canada was ordered to fund the actual cost of Band Rep Services in Ontario only. This resulted in Band Rep programs in Ontario growing in capacity, and requiring adequate funding to continue meeting the needs set out throughout that process.

Also, FNCFS Agencies in Ontario are funded completely differently than any other region. Therefore, certain aspects of the Final Agreement need to have Ontario specific clauses due to those differences.

INNOVATIONS IN FUNDING AND PROGRAM DELIVERY

The agreement introduces new funding streams and delivery mechanisms that ensure First Nations control over culturally responsive prevention services, increase accountability, and offer a flexible funding model to meet diverse needs.

Specific adjustments, such as remoteness funding, address the unique challenges faced by remote First Nations.

MYTH

The Final Agreement would take prevention funding away from agencies and leave them unable to deliver prevention services.

FACT

The Final Agreement reinforces that each First Nation is entitled to decide how they want to receive prevention services, whether that is by their agency, or to deliver prevention services themselves. If a First Nation wants to take on the delivery of prevention services to their children, they can elect to receive all of their prevention funding.

MYTH

The Final Agreement interferes in First Nations that exercise jurisdiction over child and family services.

FACT

The Final Agreement does not interfere in First Nations negotiating their own coordination agreement or drawing jurisdiction, it only ensures that those First Nations will not be given less funding than what they would be entitled to under the Final Agreement.

MYTH

Ontario First Nations get special treatment.

FACT

First Nations in Ontario are funded for Band Rep at a slightly higher level than outside of Ontario because programming is on a different level and adequate funding is required to continue to meet the needs.

MYTH

The funding structure diverts prevention funding away from agencies and leaves them unable to deliver prevention.

FACT

Each First Nation is entitled to decide whether they deliver prevention services, or they want their affiliated agency to deliver them.



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