



First Nations Child & Family Caring Society Statement: September 15, 2022

The following is in response to the Attorney General of Canada (Canada) and the Assembly of First Nations (AFN) compensation motion being heard by the Canadian Human Rights Tribunal today and tomorrow.

In February of 2021, the Canadian Human Rights Tribunal (CHRT) ordered Canada to pay \$40,000 in human rights compensation to First Nations children, youth, and families who were discriminated against by Canada. Although this decision was upheld by the Federal Court in September of 2021, Canada refused to pay the victims what it owed them and instead made repeated announcements that it wanted to resolve the CHRT complaint via a class action implying that they wanted to give the victims more money. On June 30, 2022, Canada signed a \$20 billion Final Settlement Agreement (FSA) in a class action to compensate victims. While this class action does appear to give some victims more money, it also negatively impacts the rights of a troubling number of other victims by reducing or eliminating their right to the CHRT compensation. The FSA agreement also appears to waive victims' rights to litigate against Canada for the harms they experienced flowing from Canada's discrimination even if they get no financial compensation.

Today starting at 9:30AM EDT, the CHRT will consider a motion regarding whether the FSA is in keeping with its orders. Today, the Government of Canada and the Assembly of First Nations followed by the interested parties (Chiefs of Ontario and Nishnawbe Aski Nation) will present their submissions. The hearings are expected to continue tomorrow with the Caring Society and the Canadian Human Rights Commission presenting their submissions. The Caring Society believes that the FSA does not satisfy the Tribunal's compensation orders and wants to see the FSA revised to ensure that each victim who is already legally entitled to \$40,000 in human rights compensation is paid by Canada.

Aboriginal Peoples Television Network (APTN) is livestreaming the hearings here:
<https://www.aptnnews.ca/livestream/>

The Caring Society remains committed to all the victims who were awarded compensation under the CHRT process. For more information, please visit
<https://fncaringsociety.com/i-am-witness>

- Cindy Blackstock, Executive Director of the First Nations Child & Family Caring Society of Canada