



25 November 2024

CARING SOCIETY STATEMENT ON THE CANADIAN HUMAN RIGHTS TRIBUNAL SUMMARY RULING REGARDING THE NON-COMPLIANCE MOTION ON JORDAN'S PRINCIPLE

The Canadian Human Rights Tribunal's latest decision on Jordan's Principle marks a significant victory for First Nations children, who have long endured Canada's failure to comply with legal orders to end discrimination. Released on November 21, this ruling honours the sacred legacy of Jordan River Anderson and the powerful impact of his name in establishing Jordan's Principle.

Canada's failure to comply with the Tribunal's orders on Jordan's Principle has severely hindered First Nations children's access to essential supports, services, and products. This non-compliance can have devastating consequences, and the Caring Society stands in solidarity with the families and communities who have lost children while waiting for urgent assistance. We remain steadfast in our commitment to ensuring Canada meets its human rights obligations.

The Tribunal has mandated Canada to tackle the backlog of requests immediately, prioritizing urgent cases and reporting back with a detailed plan by December 10, 2024. For families stuck in the backlog, the Tribunal ruled that Canada must communicate with those with undetermined urgent requests and take interim measures to prevent foreseeable harm to children. Importantly, the Tribunal's ruling reinforces the principle of substantive equality, affirming it as a right owed to First Nations children to address and prevent Canada's discriminatory practices.

The Tribunal encourages collective solutions, and the Caring Society remains willing to do its part. However, Canada must come to the table in good faith and stop evading the direction of First Nations leadership in Assembly of First Nations resolutions 60 and 61 passed in October of 2024 to reset negotiations in an open, transparent, and accountable manner that upholds minimum human rights standards.

Background: in 2016, the Canadian Human Rights Tribunal found that the Government of Canada is racially discriminating against First Nations children and their families in its provision of the First Nations Child and Family Services Program and by failing to properly implement Jordan's Principle. The Tribunal ordered Canada to immediately stop its discriminatory conduct and to take measures to ensure the discrimination does not happen again.

As a last resort, having exhausted all other options, the Caring Society filed a non-compliance order against Canada in December 2023 due to its repeated refusal to take effective measures to address its widespread violations of the Tribunal's orders on Jordan's Principle intended to safeguard First Nations children from discrimination. The hearings were held in September 2024.

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