



### FIRST NATIONS DISTINCT ACCESSIBILITY (DISABILITY) APPROACHES AND BILL C-81

#### OVERVIEW

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The Assembly of First Nations (AFN) has been raising awareness and facilitating opportunities to empower and amplify the voices of First Nations persons with disabilities (FNPWD) and First Nations governments in engagement with FNPWD, service providers, and program administrators, among others.

The AFN Chiefs-in-Assembly resolutions on accessibility/disability include Resolution 55/2016, *First Nations Federal Accessibility Legislation*, and Resolution 98/2017, *Distinct First Nations Accessibility Legislation*, which direct the AFN to work with Employment and Social Development Canada (ESDC) to develop distinct approaches/legislation to support First Nations unique accessibility needs.

AFN Resolution 19/2019, *Developing a Continuum of Care for First Nations, by First Nations of Health, Economic and Social Services* directs the AFN to work with Indigenous Services Canada (ISC) and other federal departments to identify needs and gaps in supports and services, capacity, and infrastructure that impact the Seven Generations Continuum of Care, and to develop options to move forward a wholistic Continuum of Care by First Nations, for First Nations.

The AFN Chiefs-in-Assembly mandated the Chiefs Committee on Human Resources Development (CCHRD) to work with ESDC to secure long-term funding to support FNPWD and First Nations governments. This is in addition to advocating for regional funding and capacity to meaningfully inform distinct First Nations accessibility approaches and related policy work.

For our work, an essential part of this discussion involved gathering views related to building distinct First Nations accessibility approaches, drafting a policy paper/framework to support steps and work that is developed by First Nations, for First Nations.

Meanwhile, the AFN has also monitored [Bill C-81, the Accessible Canada Act<sup>1</sup>](#), (The Act) which was passed in the House of Commons in May 2019 and received royal assent on June 22, 2019. The Act will apply to groups under federal responsibility, and include government departments, banking and financial sectors, federally funded organizations, Parliament, and others. The Act is expected to develop, implement, and to enforce accessibility standards, and monitor outcomes. These accessibility standards include: employment; procurement; program and service delivery; transportation; the built environment (e.g.

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<sup>1</sup> Bill C-81, the Accessible Canada Act link:  
<https://www.canada.ca/en/employment-social-development/programs/accessible-people-disabilities.html>

physical infrastructure such as office buildings, homes, public facilities, etc); and technology, communications and information.

### UPDATE

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- The AFN has undertaken several activities to engage FNPWD and First Nations governments to inform this work, including three national webinars, several surveys, key informant interviews, and reports posted on the AFN website at <https://www.afn.ca/policy-sectors/economic/empowering-first-nations-persons-with-disabilities/>
- Canada has earmarked \$290 million over 6 years to implement Bill C-81 and create an Accessibility Commissioner; a Canadian Accessibility Standards Development Organization<sup>2</sup>; and a Chief Accessibility Officer.
- The AFN continues to meet with ESDC officials to discuss on-going engagement on distinct First Nations accessibility approaches and Bill C-81, the Accessible Canada Act.
- The activities mandated by AFN resolutions are to: develop distinct First Nations accessibility approaches/legislation; work with regional technicians on disabilities for a national framework; identify regionalized funding; advocate for culturally safe programs/services; set up a centre of excellence, and gather views related to Bill C-81.
- In April 2019, the AFN submitted key interventions to the United Nations Special Rapporteur on the Rights of Persons with Disabilities (UNSR).
- The AFN has researched linkages to the Transforming Our World: Agenda 2030<sup>2</sup>, Leave No One Behind, and the United Nations (UN) Sustainable Development Goals (SDGs) and linked to disabilities' Goal #10, which is aimed at reducing inequalities and promoting social, economic and political inclusion, including for persons with disabilities<sup>3</sup>.

### NEXT STEPS

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The AFN will:

- continue to advocate for better supports for FNPWD;
- seek recommendations from and provide updates to, the Chiefs Committee on Human Resources Development (CCHRD). In addition, the AFN will facilitate First Nations leadership opportunities to meet with the Minister responsible for the federal accessibility portfolio;
- continue to advocate that Bill C-81 respect First Nations rights, and any related federal structures and/or frameworks must not increase gaps or create new barriers;
- continue advocacy efforts with the United Nations Special Rapporteur on the Rights of Persons with Disabilities in linkages to

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<sup>2</sup>United Nations General Assembly Resolution, Transforming our world; the 2030 Agenda for Sustainable Development [https://www.unfpa.org/sites/default/files/resource-pdf/Resolution\\_A\\_RES\\_70\\_1\\_EN.pdf](https://www.unfpa.org/sites/default/files/resource-pdf/Resolution_A_RES_70_1_EN.pdf)

<sup>3</sup> Sustainable Development Goals <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

# ISSUE UPDATE

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Canada's obligations under the United Nations Convention on the Right of Persons with Disabilities (CRPD).<sup>4</sup>

- continue important disability linkages to the implementation of the UN Sustainable Development Goals, and Agenda 2030, *Leave No One Behind*.



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<sup>4</sup> United Nations Convention on the Rights of Persons with Disabilities (CRPD). <https://www.canada.ca/en/employment-social->

[development/programs/barriers-social-economic-inclusion/consultation-optional-protocol.html](https://www.canada.ca/en/employment-social-development/programs/barriers-social-economic-inclusion/consultation-optional-protocol.html)