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| TITLE: | Support for Filing a Human Rights Complaint on Unequal Funding for First Nations' Education |
| SUBJECT: | Education |
| MOVED BY: | Chief Gilbert Whiteduck, Kitigan Zibi First Nation, QC |
| SECONDED BY: | Chief Arthur Moore, Constance Lake First Nation, ON |
| DECISION: | Carried by Consensus |

WHEREAS:

A. The chronic underfunding of First Nations schools is well documented;

B. On several occasions during the last seven years, the Department of Indian and Northern Affairs Canada (INAC) took up the commitment to review the funding formula for First Nations schools, but the Department never fulfilled any of its commitments;

C. This situation prevents the students of First Nations schools from receiving services comparable to those provided to students in the provincial education systems in Canada;

D. This clearly is a discriminatory practice in virtue of sections 3 and 5 of The Canadian Human Rights Act;

E. After examination of the complaint filed by the Assembly of First Nations (AFN) and the First Nations Child and Family Caring Society (FNCFCS) against INAC, based on the fact that agencies providing child and family services to First Nations of Canada benefit from lower funding per citizen than that granted to provincial agencies and that this constitutes a discriminatory practice, the Canadian Human Rights Commission deemed the complaint well founded and receivable;

F. The Canadian Human Rights Commission referred the case to the Canadian Human Rights Tribunal;

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G. INAC unsuccessfully spent all its recourses to have the complaint reconsidered as not receivable by the Canadian Human Rights Commission, on the basis that discrimination can only be assessed on the delivery of services or products and not on the funding;

H. In virtue of our responsibilities towards future generations, and given the critical state of our education, we, the Chiefs, must consider all measures that can be taken to put an end to this discrimination.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Support the creation of a First Nations coalition to file, in the name of First Nations children, a discrimination complaint on unequal funding for First Nations education against INAC with the Canadian Human Rights Commission.

2. Support an alliance with the First Nations Child and Family Caring Society (FNCFCS) in the preparation and presentation of the case.

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