

AFN Alberta COVID-19 Bulletin



Monday, June 1

AFN Alberta is summarizing updates and information we are receiving on our website. All our previous bulletins can be found on this page as well: <http://www.afnab.ca/News-and-Events/Coronavirus>.

AFN Alberta will be transitioning to providing the daily bulletin every other business day in June as we begin our slow and phased transition back to regular operations. The next bulletin will be Wednesday, June 3.

Critical or time sensitive information will still be provided in real time as needed. Thank you for your understanding.

DAILY HIGHLIGHTS

AB Testing Results	May 29	June 1	Change*
Tests Completed	253,459	263,074	+9,615
Total Positive	6,979	7,044	+65
Active	616	400	-216
Fatalities	143	143	+0
Recoveries	6,220	6,501	+281
<u>COVID-19 Regional Data for Alberta</u> Calgary zone - 4,896 Edmonton zone - 554 Central zone - 98 South zone - 1,239 North zone - 246 Unidentified zone - 11		<u>COVID-19 in Alberta First Nations* (as of May 31)</u> Calgary Zone - 19 North Zone - 5 South Zone - 16	

**As a reminder, AFN Alberta captures the cumulative changes over the weekend, as such the table above will not align with the 24 hour cycle provided by the province. Thank you.*

New Measures

- ***UPDATED*** In Calgary and Brooks, the remainder of Stage 1 reopenings, including day camps, summer schools, post-secondary institutions and places of worship, will proceed as planned **today, June 1**.
- Alberta is now allowing anyone in the province to get tested for COVID-19, even if they don't have symptoms. Asymptomatic testing can be scheduled through the online AHS COVID-19 self-assessment tool [here](#).
- Alberta will now only supply PPE to critical service providers in publicly funded or contracted settings. Private organizations can continue to access PPE through the government until **June 30**, but will need to pay market price.
- Alberta Health has partnered with A&W, McDonalds, and Tim Hortons to distribute non-medical masks to Albertans at no cost.
- Canada is extending the safety measures for cruise ships to help mitigate the risk of COVID-19. Cruise ships will be prohibited from coastal waters until October 31 at the earliest.

First Nation-specific Updates

- The Federal Government announced **an additional \$650 million for Indigenous Communities' healthcare, income support programs, & shelters** on Friday
 - \$285.1 million to support ongoing public health response to COVID-19 in Indigenous communities.
 - \$270 million to supplement the On-Reserve Income Assistance Program
 - \$44.8 million over five years to build 12 new shelters to help protect and support Indigenous women and girls experiencing and fleeing violence.
- The #ProtectOurElders social media campaign launched to encourage people to practice physical distancing and public health measures to keep Elders safe. Visit <https://www.protectourelders.ca/> for ways you can get involved on social media.
- The UN Special Rapporteur on Indigenous rights is calling for input into a global report about how COVID-19 is impacting Indigenous peoples. [Click here](#) for the full details of the request. **Deadline for submissions is June 15.**

National and Regional Updates

- ***NEW*** Today, Canada [announced](#) it will provide municipalities with their full annual Gas Tax fund payment in the month of June. Normally, this funding is provided over two payments in the year.
- On May 21, Canada [announced](#) an additional \$75 million in new funding for organizations that address the critical needs of Indigenous peoples in urban centres and off-reserve.

INFORMATION AND DOCUMENTS FOR FIRST NATIONS

Detailed AFN Sector Updates - March 27, 2020 to April 30, 2020

The national AFN office is now providing frequent updates to the Regional Chief on all of their policy sectors' activities and initiatives. Please find attached the first of these updates shared with us Thursday, May 28th.

***NEW* National Chief's Letter to the Prime Minister and all Premiers**

National Chief Perry Bellegarde wrote to the Prime Minister and all the Premiers expressing concerns about the reopening of the Canadian economy. Please find his letter attached.

Updates from Indigenous Services Canada (ISC)

UPDATED Projects funded by the \$15 Million Indigenous Community Support Fund

ISC has provided the list of projects funded by the Indigenous Community Support Fund for off-reserve and urban organizations, you can find the list attached to today's bulletin. A total of 94 proposals were approved and Alberta region received the second highest number of approved proposals at 14.

On May 21, Canada announced an additional \$75 million for urban and off-reserve organizations. We are being told that there will likely not be a new round of request for proposals (RFP). Rather, Canada may fund applicants that met the requirements but did not get funded in the last round, through the \$15M envelope, or current projects that were underfunded.

****RECAP**** Weekly Bulletin from Dr. Yacoub (attached)

Dr. Yacoub, Alberta's Senior Medical Officer of Health at FNIHB, sends a weekly bulletin to all First Nations. These bulletins provide updates to First Nations on COVID-19 from a public health perspective. This week's bulletin is attached. Also attached is a tool provided by Dr. Yacoub on considerations when reopening facilities in First Nations in Alberta.

CALL & MEETING SUMMARIES

No Notable Calls or Meetings Today

REGIONAL AND NATIONAL UPDATES

Summaries and information of the following can be found in the update below.

- **Canada's COVID-19 Update - June 1**
- ****RECAP** Canada's COVID-19 Update - May 29**
- **Alberta's COVID-19 Update - June 1**

Canada's COVID-19 Update - June 1

Relevant Links: [PM's daily briefing](#)

[Federal Ministers and Health Officials daily briefing](#)

[Prime Minister announces support to help communities create jobs and restart the economy](#)

Speaking from outside his home in Ottawa, Prime Minister Justin Trudeau discussed the federal government's response to the COVID-19 pandemic, including \$2.2 billion in accelerated infrastructure funding to help municipalities. Following this, Minister Patty Hadju, Dr. Tam and colleagues gave the Federal Ministers and Health Officials daily briefing. **Key Highlights:**

- There are now 91,351 confirmed cases of COVID-19 with 7,305 deaths. 49,235 or 54% of these cases have now recovered. Labs have now completed a total of over, 1,691,000 tests with about 5% returning positive. An average of 29,000 are being tested daily.
- \$2.2 billion in funding was announced for municipalities through their yearly federal support with the Gas Tax fund. Normally given in two payments, the full 2020/21 payment will be made available in June. Minister McKenna has contacted the Provinces to outline how this will work.
 - This is **not a new funding announcement**. Rather, Canada is providing its full payment to municipalities through the Gas Tax, instead of two payments over the year.

Additional Information:

- The PM began his address by discussing the ongoing anti-racism protests in the United States and Canada following the death of George Floyd and [Regis Korchinski-Paquet](#) in Toronto. Minister Hajdu and Minister McKenna both acknowledged demonstrations in the country and mentioned that racism is a Canadian problem too.
- Dr. Njoo reminded that the [Wellness Together](#) portal provides free resources and support for people struggling with substance abuse or other mental health issues.
- Minister McKenna said that the Gas Tax fund provides \$2.2 billion to cities and towns and First Nations communities and supports thousands of local infrastructure projects.
- Gas tax funding can be used immediately by municipalities for priority projects, it can be banked for later use, pooled with other communities for shared infrastructure projects, or used to help finance big-ticket projects that can pay community dividends for years to come.

***RECAP* Canada's COVID-19 Update - May 29**

This recap is being provided due to the significant funding announcement on Indigenous Funding that was given on Friday

Relevant Links: [PM's daily briefing](#)

[Federal Ministers and Health Officials daily briefing](#)

News Release: [Prime Minister announces additional funding for health, economic, and social support for Indigenous peoples and communities.](#)

[Backgrounder: Updated COVID-19 measures for cruise ships and other passenger vessels](#)

This Friday, Trudeau took the stage outside his home in Ottawa to update the federal government's response to COVID-19 and make new funding announcements for Indigenous Communities Healthcare, Income Support, and Women's Shelters. Following this, Indigenous Services Minister Marc Miller, Transport Minister Marc Garneau, and Dr. Tom Wong provided the daily Federal Ministers and Health Officials update. **Key Highlights:**

- No update on statistics at the National level was provided during the Federal Ministers Health Officials briefing, however, according to [canada.ca](#), as of May 29th there are 88,845 confirmed cases of COVID-19 in Canada, with 6,918 deaths. Nationally over 1,593,453 people have been tested to date.
- The Prime Minister is working with all provinces towards approving 10 days of paid sick leave a year so that employees don't have to choose between taking a day of sick leave and paying their bills.
- **An Additional \$650 million for Indigenous Communities Healthcare, Income Support, and Women's Shelters.**
 - \$285.1 million to support ongoing public health response to COVID-19 in Indigenous communities.

- \$270 million to supplement the On-Reserve Income Assistance Program
- \$44.8 million over five years to build 12 new shelters to help protect and support Indigenous women and girls experiencing and fleeing violence.
- Further details on funding distribution can be found in the News Release linked above.
- Cruise Ships with overnight accommodation and capacity of over 100 persons are prohibited from operating within Canadian waters until at least **October 31**. Those with more than 12 are prohibited from entering Arctic coastal waters during this timeframe as well. Full details of the announcement are linked above.

Additional Information

- Responding to the issue of long-term care facility treatment conditions, PM Trudeau stated they would continue to work together with the Provinces and support them to ensure elders receive the care they deserve.
- Minister Miller updated that 176 of the 214 FN cases of COVID-19 in the country have recovered. The 16 individuals testing positive in Nunavik have also fully recovered.

Alberta's COVID-19 Update - June 1

Relevant Link: [Chief Medical Officer's Update](#)

Chief Medical Officer of Health for Alberta, Dr. Deena Hinshaw provided the province's COVID-19 update today. **Key Highlights:**

- There are now 6,501 recovered cases of COVID-19, with 400 active cases remaining. Of these, 53 are hospitalized with 6 in ICU. 2,709 tests were completed in the last 24 hours resulting in 34 new cases. There are no new deaths to report.
- The province is monitoring an increase in active cases in the Edmonton zone originating from two private family gatherings.
- Dr.Hinshaw reminded Albertans of tips on how to keep infection rates low as the public health restrictions ease. Some highlights of this guidance follow:
 - Keep 2m apart from anyone outside the household or your cohort family, and not to share food or drinks. While this may be difficult or seem rude, it is necessary.
 - Outdoor gatherings are also lower risk, so when possible, meet outside.
 - Even if symptoms are minor or mild - get tested, and do **not** participate in any gatherings.
- As a reminder, testing is now available to everyone, symptomatic or not. Book by using [the online self-assessment tool](#).

IMPORTANT/USEFUL LINKS AND ADDITIONAL INFORMATION

- The Red Cross is operating a help desk for First Nations to get dedicated, personalized support on pandemic planning. It is available 7 days a week from 7 am to 7 pm MT. Call 1-833-937-1597.
- First Nation health directors, leaders, and technicians can contact “[InfoPoint](#)” to request information about their COVID-19-related questions at 1-855-446-2719 or InfoPoint@fnhma.ca from Monday to Friday, 6 am to 6 pm MT
- ISC is tracking the number of confirmed cases of COVID-19 on First Nations on their website. Data is updated Monday to Friday. [Click here](#) to view the webpage.
 - [Click here](#) to view national demographic data and epidemic curves.
- Service Canada has a dedicated toll-free phone line for First Nations members needing help with their CERB applications. Call 1-877-631-2657
- Applications for the [Canada Emergency Commercial Rent Assistance \(CECRA\)](#) are available through the Canada Mortgage and Housing Corporation (CMHC). The CECRA consists of forgivable loans for landlords to subsidize lost rent from small businesses, nonprofits and charitable organizations.
- The [Business Resilience Services Hotline](#) is available to small businesses for the next month to provide free, customized financial guidance from navigating tax regulations and government support to planning a path to recovery.
- Canada created a new web tool to help connect people with COVID-19 aid by asking questions and outlining programs people may be eligible for. [Click here](#) to access it.
- Canada created a web portal to help businesses find a wide range of COVID-19 support and other programs and services. [Click here](#) to access it.



Regional Chiefs Update

Covering: March 27-April 30, 2020

Distributed: May 24, 2020



ECONOMIC SECTOR

The Economic Sector focuses on economic development, trade, revenue options, labour force and human resources development, agriculture and connectivity. This Sector also coordinates the Assembly of First Nations (AFN) efforts for First Nations persons with disabilities as well as social finance and social innovation. In the past several years, the Chiefs-in-Assembly have passed national resolutions on the importance of resource revenue sharing, new investments, labour market and skills training, e-community, procurement, inter-nation trade, agriculture, wealth creation and sustainability.

Updates/Activities

Canadian Emergency Wage Subsidy

In response to the challenges posed by the COVID-19 pandemic, the government is providing a 75 per cent wage subsidy to eligible employers for up to 12 weeks, retroactive to March 15, 2020. This subsidy would be available to eligible employers that see a drop of at least 30 per cent of their revenue. Eligible employers would be able to apply for the Canada Emergency Wage Subsidy through the Canada Revenue Agency's My Business Account portal as well as a web-based application. This emergency subsidy is designed for all Canadians and most recently the government of Canada is working on adjusting eligibility to ensure that First Nations businesses can access the subsidy. For more information on this program please visit:
<https://www.canada.ca/en/departement-finance/news/2020/04/additional-details-on-the-canada-emergency-wage-subsidy0.html>

Canada Student Summer Jobs

In response to the COVID-19 pandemic, the government is placing temporary changes to the Canada Summer Jobs program. The changes include:

- Increasing wage subsidy: Private and public sector employers can receive up to 100% of provincial or territorial minimum hourly wage for the employees.
- Extending the end date for employment to February 28, 2021
- Employers can adapt projects and job activities to support essential services.
- Employers can hire staff on a part-time basis.

For more information on the changes to the Canada Student Summer Jobs, please visit: <https://www.canada.ca/en/employment-social-development/services/funding/canada-summer-jobs/temporary-flexibility.html>

Federal announcement of an Indigenous Business Fund

On April 18, 2020, the Government of Canada announced funding for an Indigenous Business Fund of \$306.8 million as an additional investment in stimulus measures. The majority of funding will be delivered through the National Aboriginal Capital Corporations Association (NACCA) and its network of 59 First Nations, Inuit and Metis financial institutions. The funding is expected to provide relief to 6000 businesses. It will allow for interest-free loans, as well as non-repayable contributions, to help



Indigenous businesses unable to access the government's existing COVID-19 support measures. Additional funding will also help AFIs cover operational expenses and help the NACCA increase its operational capacity. First Nations businesses are recommended to contact: www.nacca.com or their First Nations lending institution. A list of the financial institutions is on the NACCA website. The Indigenous Tourism Association of Canada has indicated that Indigenous tourism businesses are being severely hit by the economic impacts from COVID-19. As many as 1875 Indigenous tourism businesses are in need of supports. The Indigenous Tourism Association of Canada, for its part, has created a \$1.2 million stimulus package that will furnish 140 businesses with grants worth up to \$25,000.

Bill C-81 the Accessible Canada Act (disabilities)

Bill C-81, the Accessible Canada Act, became law in Canada on June 21, 2019. The AFN is developing a First Nations strength-based approach to building distinct First Nations accessibility legislation and held several national engagement sessions about Bill C-81 and human rights. Due to the pandemic, ongoing Bill C-81 planned sessions in First Nations have been postponed. Alternative approaches are being considered. The Accessibility Standards Canada have also postponed their events and engagements (<https://www.canada.ca/en/accessibility-standards-canada.html>). The AFN continues to monitor the federal government's approaches on Bill C-81, as well as Canada's obligations under the United Nations Convention on the Rights of Persons with Disabilities.

Social Innovation and Social Finance

In 2017, the Government of Canada committed to developing a Social Innovation and Social Finance (SI/SF) Strategy to tackle persistent socio-economic and environmental challenges. The 2018 federal Fall Economic Statement announced \$755 million, over 10 years, starting in 2020-2021. Canada's first year of social innovation headlines are available at <https://sicanada.org/wp-content/uploads/2020/02/Building-our-foundations-SI-Canada%E2%80%99s-first-year.pdf>. To research these advocacy needs, the AFN developed a draft summary paper and a draft policy paper, which included dialogue from First Nations technical tables, regional and local First Nations, a roundtable, and updates to leadership tables. In line with AFN Resolution 94/2019, the AFN is advocating that an additional \$150 million, interim funding, for 3 years from the federal SI-SF Fund to ensure sustainable benefits for First Nations-led initiatives. This should then be followed by appropriate funding for a 10-year strategy. In this work, the AFN cites the United Nations Sustainable Development Goals (SDG) and *Agenda 2030*, to "leave no one behind". With COVID-19, innovative social economy approaches, and other forms of financing will be needed to find ways to support First Nations existing and potential workers and employers.



Upcoming Events

- **May 2020** - Chiefs Committee on Economic Development - via teleconference - to discuss matters such as advocating for a new economic strategy and economic recovery.
- **Postponed** - Bill C-81 planned sessions in First Nations - due to the current pandemic. The AFN is exploring alternative social media tools/ options in view of the COVID-19 to safely coordinate discussions on a range of Bill C-81 issues including human rights.



EDUCATION SECTOR

Updates/Activities

Post-Secondary Education

On April 22, 2020, Prime Minister Justin Trudeau announced a onetime \$65.5 million investment into the Post-Secondary Student Support Programs (PSSSP) for First Nations students as part of the emergency funding for COVID-19.

National Indian Education Council (NIEC)

National Indian Education Council (NIEC) continue to attend weekly meetings via Zoom to discuss select topics.

Post-Secondary Partnership Program (PSPP)

In accordance with the *First Nations Post-Secondary Education Policy Proposal*, the PSPP will move to a First Nations led regional process. The PSPP regional allocation funding for 2020-21 fiscal year provides over \$14.6 million in the Call for Proposals, nationally. The AFN's 2020 Federal Pre-Budget Submission called for \$365 million, over 5 years, for First Nation Post-Secondary Institutions.

Post-Secondary Student Support Program (PSSSP)

On April 22, 2020, Prime Minister Justin Trudeau announced a onetime \$65.5 million investment into the Post-Secondary Student Support Programs (PSSSP) for First Nations students. Indigenous Services Canada (ISC) communicated that the Prime Minister intended the \$65.5M to support existing post-secondary students (PSE) students affected by COVID-19 for one year only, however the funds would be flexible for First Nations in terms of supporting students. The Chiefs Committee on Education supported First Nations in Yukon and Northwest Territories receiving a single allocation, based on First Nations population 18+ as per the Indian Registry. For First Nations in all other regions (BC, AB, SK, MB, ON, QC, NB, NS, PEI, NFL), distribution will be based on the number of students funded under PSSSP/UCEP in 2017-2018 (most recent data). The Chiefs Committee on Education will continue to call on the Government of Canada to fund First Nations post-secondary students from a needs-based approach and, at a minimum, this funding continues for First Nations beyond 2020-2021. The AFN's 2020 Federal Pre-Budget Submission called for \$1.7 billion over 5 years for First Nations student support.

Education Partnerships Program (EPP)

The EPP 2020-2021 call for proposals was extended to April 30, 2020. On April 14, 2020, the NIEC and the AFN met to discuss the K-12 Terms and Conditions and the EPP funding methodology allocation options. Funding methodologies will be explored that include a range of variables such as number of students, number of communities, and number of schools.



Education Infrastructure

The AFN and ISC continue to meet to discuss the next steps in the First Nations education infrastructure review. A revised timeline was made, for completing short term changes to the School Space Accommodation Standards, up to September 2020. Future priorities of the education infrastructure working group, include policy review on the School Priority Ranking Framework, standards for teacherages, enrollment projections, and the average number of students in classrooms.

Youth

The AFN National Youth Council met and were provided a briefing from the Youth Council COVID-19 Wellness Task Team as well as strategies to involve youth in communications around COVID-19. The youth have outlined virtual meeting procedures for future meetings.

High Cost, Special Education Program

The AFN Education sector has commissioned a comprehensive research report, including costing gaps under the current program, new funding models for high cost special education on-reserve, and recommendations for policy change. This report will model both a regional and national lens. The consultant has started to contact regions seeking a better understanding of the true cost of high cost, special education.

Upcoming Events

- **May 1, 8, 15, 22, 26, 2020** - Youth Council Meetings - online
- **May 5, 12, 19, 2020** - Weekly NIEC Meetings - online
- **May 8, 2020** - CCOE meeting with Minister Marc Miller - online
- **May 13, 2020** - Education Partnership Programs Working Group - online



ENVIRONMENT SECTOR

Relying upon the leadership and direction of a Chiefs Committee – the Advisory Committee on Climate Action and the Environment (ACE) – the Environment Sector functions to enhance the exercise of First Nations' self-determination and jurisdiction within a broad environmental context.

Updates/Activities

Climate Change

The Joint Committee on Climate Action (JCCA) has finalized its second Annual Report, and has the National Chief and Prime Minister with copies. Following the hosting of a National Climate Gathering, in March, in Whitehorse, YT, work continues on the development of a First Nations-led National Climate Strategy. With the postponement of this year's Annual General Assembly, finalization of the Strategy may be delayed until December. However, overall, forward action will continue.

Convention on Biological Diversity

The Convention on Biological Diversity (CBD) has been working to establish its post-2020

Global Biodiversity Framework (GBF), which will set global targets for 2030, and influence the future role of Indigenous Peoples in the implementation of the Convention and, in particular, the future of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions (WG8J). However, CBD meetings have been postponed, with the upcoming Intersessionals now being planned for August 17-29, 2020, in Montreal, QC.

Species at Risk

The First Nations Advisory Committee on Species at Risk (FNACSAR) has focused on the implementation of the proposed Pan-Canadian Approach to Transforming Species at Risk Conservation. Included under the new Pan-Canadian Approach is recognition of the threat posed by Chronic Wasting Disease (CWD). The future work of the FNACSAR is currently on hold pending new allocations expected in the next federal budget.

Conservation

Canada recently increased its conservation ambitions committing to a target of protecting 25 per cent of lands and waters by 2025. Indigenous Protected and Conserved Areas (IPCAs) and the recognition of Indigenous leadership in conservation are expected to contribute significantly to achieving these growing ambitions.



Environmental Health

The Food, Environment, Health, and Nutrition of First Nations Children and Youth (FEHNCY) study continues to be on pause due to the COVID-19 crisis. However, behind the scenes work is ongoing, as is excitement about new funding that will support expansion of the study to include the Yukon and Northwest Territories.

Upcoming Events

- **May 13, 2020** - Advisory Committee on Climate Action and the Environment (ACE) - online



FISHERIES SECTOR

The AFN Fisheries Sector exists to assist First Nations in the exercise of their inherent right to harvest fish and other aquatic resources, provide for their families, and protect and use their waters in the First Nations' efforts to rebuild its governance structures. The Fisheries Sector does this under the guidance of First Nations Chiefs through the regular Chiefs Assemblies. The National First Nations Fisheries Committee furthers this work between Assemblies. The Fisheries Sector's objective is to provide effective advocacy for First Nations fishers as they exert their rights in the face of challenges.

Updates/Activities

Regional Director Supports for Fishers

British Columbia Regional Director General Rebecca Reid's letter regarding Department of Fisheries and Oceans (DFO) efforts to include fishers in the Canadian Emergency Response Benefit (CERB) benefits on the west coast. No other region has done the same. A number of Federal Emergency funds have recently announced to aid indigenous peoples. First Nations remain concerned that there is nothing specific for First Nation fisheries or aquaculture to assist in their health and safety or businesses.

Call with DFO Minister

AFN Regional Chief Augustine (NB/PEI) and Regional Chief Teegee (BC) had a conference call with DFO Minister Bernadette Jordan on April 22, 2020, to talk about the impact of COVID-19 on First Nations fisheries. They emphasized the need to prioritize food/social/ceremonial (FSC) fisheries over recreational and commercial given the need to ensure food security and support for the aboriginal right to fish as stated in the *Sparrow* decision. The Minister replied that FSC fisheries will continue to receive DFO support recognizing this is a priority for First Nations. The Regional Chiefs also spoke to the Minister about the fact that fisheries have been identified as an "essential service" by Prime Minister Trudeau, as it is one of the food supply chains in Canada. However, personal protective equipment (PPE) has not been made available to First Nations fishers, and there is a lack of COVID-19 testing made available to fishers and support workers. Additionally, there is a downturn in the export market and a lack of demand from restaurants for seafood products. This means less own-source revenue coming from the communal, commercial fisheries, which are needed to support community programs, such as social, education, and health programming. The Minister replied that she will be working with ISC Minister Mark Miller to see how Canada could address the absence of own-source revenue.

COVID Crisis Response Funds- Fisheries

The Government of Canada has announced several funds in response to the COVID-19 crisis. Fisheries and Oceans Canada has posted a Frequently Asked Questions page to direct those in the fishing and aquaculture industry requiring temporary financial



assistance. <https://www.dfo-mpo.gc.ca/covid19/industry-industrie/index-eng.html>. Fisheries have been deemed an essential service. On April 25, 2020, the federal government announced a Seafood Stabilization Fund of \$62.5 million to support seafood processing. The fund will support processors who want to purchase PPE (personal protective equipment) for workers, automate plant processes, and/or to buy storage for product caught. <https://www.canada.ca/en/fisheries-oceans/news/2020/04/government-of-canada-announces-new-canadian-seafood-stabilization-fund-to-help-canadas-fish-and-seafood-processing-sector.html>

The FFMC stops buying fish

The Freshwater Fisheries Marketing Corporation (FFMC) has notified First Nations inland fishers in Alberta, Manitoba, Northwest Territories and Saskatchewan that it will be suspending its buying services as of March 30, 2020, due to the COVID-19 pandemic. The FFMC has also laid off 80% of its operating staff. Media coverage expressed some of the many challenges faced by fisheries with the closure of the FFMC: https://www.cbc.ca/news/canada/manitoba/lake-winnipeg-fishery-covid19-1.5543253?_vz=medium%3Dsharebar

Indigenous Knowledge and Fisheries Act

The AFN hosted two *Indigenous Knowledge and Fisheries Act* technical workshops in Winnipeg, MB on February 25-28, 2020, and in Halifax, NS on March 3-6, 2020. The workshops brought together over 60 Chiefs, technicians, Elders, Knowledge Keepers, researchers, and First Nation organization representatives from the Inland and Atlantic regions. An executive summary will be made available to participants. Due to AFN's response to Covid-19, the Vancouver, BC workshops are postponed until further notice. The next Indigenous Knowledge Advisory Group meeting has also been postponed until further notice.

AFN Oceans Working Group

The AFN Oceans Working Group met online via Zoom on April 27, 2020. The working group discussed the drafting of a scoping document, with Fisheries and Oceans Canada, on marine Indigenous Protected and Conserved Areas (IPCAs). The working group also discussed the development of communication materials for First Nations in Canada on marine conservation and planning tools, including marine IPCA development.

AFN National Aquaculture Working Group

The National Aquaculture Working Group (NAWG) met online via Zoom on April 28, 2020. The purpose of session was to provide an update, and share information on COVID concerns and the NAWG work plan. Discussions also focused on the needs of regional groups for proper engagement on the drafting of the proposed federal Aquaculture Act.



HEALTH SECTOR

Updates/Activities

Response to COVID-19

The AFN Health Sector has been working with AFN Communications to provide updated and relevant pandemic information for First Nations. As we are working remotely, the AFN Health sector is using technology to connect with our governing and technical tables and for meetings with Federal officials. The Health Sector has created fact sheets on Covid-19 for First Nations communities, which include topics like: How Covid-19 is Transmitted; Mental Wellness during the Pandemic; Smoking and Covid-19; Cyber Security. The Health Sector disseminates federal government updates and shares documents that pertain to First Nations. We also prepare daily updates to track the spread of Covid-19 in Canada, and monitoring First Nations cases as the data becomes available. Currently, one in two First Nations households experience food insecurity because of long-term, systemic social and economic inequalities; tragically, we anticipate that even more First Nations will be disproportionately adversely affected by COVID-19. The Health Sector continues to raise awareness of these inequalities and advocate for the immediate need for greater resources for First Nations.

CCoH/FNIHB

The Health Sector has been coordinating weekly Zoom meetings for the Chiefs Committee on Health (CCoH)/Health Technicians and Senior Management at First Nations and Inuit Health Benefit (FNIHB) to update them on how FNIHB is supporting FN communities.

Mental Wellness

The AFN continues to work with our partners, Thunderbird Partnership Foundation and First Peoples Wellness Circle, to gather and share practical tools and resources for sustaining mental wellness. Many of these resources are particularly apt in these difficult times of social distancing.

Non-Insured Health Benefits

The AFN Health Sector has been maintaining contact with FNIHB regarding policy changes and updates related to NIHB and COVID-19.

Upcoming Events

- **11am, weekly, on Tuesdays** - AFN CCoH / FNIHB – Online
- **1pm, weekly, on Thursdays** - First Nations Health Managers Association (FNHMA) Town Hall – Online
- **4pm, weekly, Monday, Wednesday, Friday** –AFN COVID-19 Task Force - Online



HOUSING, INFRASTRUCTURE and EMERGENCY SERVICES SECTOR

Updates/Activities

The purpose of the Housing, Infrastructure, Water and Emergency Services Sector is to advocate nationally for First Nations' access to secure, adequate and affordable housing; safe, clean and reliable drinking water; safe and quality infrastructure; as well as access to and support for emergency management in First Nations communities. The sector receives its mandate from the Chiefs-in-Assembly and works closely with relevant Chief Committees to seek guidance and support, and to share information. The sector is primarily responsible for working and negotiating with federal government partners to advocate for First Nations rights and interests, and to support the creation of First Nations-led policies and solutions related to First Nations housing, access to clean drinking water, infrastructure and emergency management on a national scale.

SAFE DRINKING WATER

COVID-19 and safe water

We are looking to develop guidance documents to help regions better understand the role of water in addressing the pandemic, and the water needs for First Nations who lack access to safe drinking water or are on a drinking water or do not consume advisory.

Safe Drinking Water for First Nations Project

The Regional Water Coordinators are currently being contacted to set up a planning call in May 2020 to move forward with the work. The Coordinators will work collaboratively with the AFN National Water Coordinator and Water Unit Staff to ensure effective outreach, coordination, facilitation, communication and prepare documentation and reports for the AFN.

First Nations Long-Term Water Strategy

The work on the First Nations Long-Term Strategy continues to move forward. The AFN is working with ISC to take advantage of the change in Cabinet schedule to push a more collaborative development of the Strategy and ensure feedback from past and present engagement sessions are incorporated.

HOUSING

COVID-19 and Housing

The AFN's housing staff facilitated two Zoom meetings where the Canada Mortgage and Housing Corporation (CMHC) officials described its COVID-19 program flexibilities. As of April 27, 2020, the CMHC received requests from 22 First Nations to defer loan payments, six (6) requests were approved, four (4) were withdrawn, and the



remaining 12 are awaiting documentation from the First Nations. The CMHC noted it has received many requests from First Nations to forgive some loan payments. It is monitoring the situation daily and hints that it may provide additional program flexibilities. The AFN staff recommend that First Nations keep good records to prove housing program financial hardship or loss related to COVID-19 to facilitate possible later reimbursement.

Infrastructure Canada (INFC)

INFC informed the AFN during a conference call on April 1, 2020, that it does not yet have any COVID-19 related messages for its First Nations clients. As there are no COVID -19 related delays in regular INFC program activities, funds will flow normally. Reporting requirements may be “relaxed” for the duration of COVID-19 and INFC will inform the AFN if it decides to issue any Covid-19 related messages. The AFN recommended that INFC should issue a communique to that effect.

Housing Survey Technical Report

On April 6, 2020, the AFN received the first draft of the technical data report on the housing survey (2019) from the First Nations Information Governance Centre (FNIGC). First Nations members of the AFN-Canada Joint Working Group that is pursuing work related to the National First Nations Housing and Related Infrastructure Strategy are providing input to the FNIGC to develop a second draft, suitable for review by the Chiefs Committee on Housing and Infrastructure (CCoHI). The second draft is likely to be available to the CCoHI in late May 2020. Meanwhile, the AFN has arranged with the Interlake Tribal Council in Manitoba to undertake completion of the housing survey with all Manitoba First Nations. The AFN staff continue to look for options to have the housing survey completed in Alberta. The unique situation in the Northwest Territories resulted in no surveys being completed in Dene Nation communities. This requires the use of alternate sources of data to estimate their needs, so the Northwest Territories' contribution to the total investment request can be made to Canada later in 2020.

Assessing Federal Government Transparency

Regional housing technicians were engaged in early April 2020, in the development of performance measures to assess the Federal Government's transparency with First Nations regarding its First Nations housing programs. A 2019 Special Chiefs Assembly resolution calls for greater federal government transparency to eliminate surprises experienced by First Nations in housing program operations and budgets. The federal officials will also be engaged when appropriate on draft performance measures. Approval of any performance measures will be sought from the AFN Executive Committee, as required, in lieu of the cancelled 2020 Annual General Assembly.

Urban Indigenous Housing Groups

AFN staff sought input from regional housing technicians' on the possibility of creating a formal committee, which would have terms of reference that strengthen the AFN's relationship with urban Indigenous housing providers and improve the flow of information. The technicians expressed caution in this matter. The National First



Nations Housing and Related Infrastructure Strategy calls for First Nations to be provided the tools and resources to serve all their members, regardless of location of residence, on or off-reserve. The caution noted by regional housing technicians caused this matter to be shelved until further notice. AFN staff will continue informal contacts with urban Indigenous housing groups.

Ozhi Bankruptcy

The Assembly of First Nations of Québec and Labrador (AFNQL) received a letter from CMHC indicating it bears no obligation, except under very limited conditions, to reimburse any First Nations entity regarding the bankruptcy of Ozhi, the company the CMHC had contracted to conduct its Section 95 and other program's technical service reviews (housing inspections). Under pressure from the AFN, the CMHC reversed its policy and reconstituted the previous arrangements in 2019. The CMHC indicated that any action to recover fees owed to First Nations entities that had sub-contracted services with Ozhi should be directed to that company. The AFNQL does not accept the CMHC's position. The AFN is gathering more information, specifically on what action, if any, the Ininew Limited Partnership is considering, and whether its two Manitoba First Nations partners want to be referenced in any AFN support action. AFN staff are preparing a letter of support to the Minister Responsible for the CMHC. After subtracting the small percentage of Ozhi's remaining assets to be provided to the First Nations sub-contracting entities, three Québec tribal councils are owed collectively about \$93,000 and the Ininew Limited Partnership is owed over \$140,000.

Support for Addressing First Nations Housing

The Nanos opinion poll commissioned by the AFN shows roughly 75 per cent of Canadians strongly support or somewhat support addressing First Nations lack of healthy housing. The poll will be useful as an additional lever in the AFN's advocacy for transformative change to the federal First Nations housing policy and the corresponding significant investment required. The polling firm cautions that any request for major investment maybe met with a response that indicates sympathy and agreement coupled with an inability to invest at the required level due to COVID-19 related financial pressures. However, the AFN's advocacy could highlight that overcrowding in many First Nations is a major factor in the spread of viruses and should be a priority when trying to mitigate the effects of any subsequent waves of COVID-19.

Hearings on Indigenous Housing Postponed

On Feb. 25, 2020, the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (HUMA) adopted a motion to give itself a mandate. On March 12, 2020, HUMA indicated it would convene six hearings, two hearings each for urban Indigenous, rural and northern housing, but it did not schedule them. Due to COVID-19, the regular work of all Parliamentary Committees was suspended on March 13, 2020. The AFN is considering the submission of a brief and/or a request to testify when HUMA resumes normal



activities. HUMA is currently permitted to hold hearings on condition that they address Covid-19 related matters only

INFRASTRUCTURE

COVID-19 brings attention to Infrastructure Shortfalls

Throughout the COVID-19 pandemic, the need for reliable critical infrastructure has presented itself as a necessity across the country. The infrastructure shortfall experienced by First Nations hampers their ability access and deliver power, connectivity with high-speed broadband, clean drinking water, safe wastewater operations, and dependable transportation networks, including roads, bridges, and ferry service. Canada and First Nations must emerge with a plan for the future once COVID-19 is under control. A new initiative, *Build Back Better*, is embracing the opportunity to think big and get much needed infrastructure investment in our communities. Connectivity, green renewable energy and clean drinking water are high priorities that will shape the next decade of growth in Canada. All First Nations must prepare and plan for what their future will look like, and work to gain access to Infrastructure Stimulus funding that will be available to all Canadians. More announcements from the federal government's plan to fund infrastructure are anticipated in May 2020, and the months to come. The AFN encourages engagement and inclusion in this process.

Operations and Maintenance (O&M) Policy

Talks are on-going with Indigenous Services Canada (ISC) on O&M Policy Reform. The draft AFN O&M Policy has been given to an experts' group for comments. The input has pointed away from an outdated ISC O&M Policy for funding assets on First Nations. Instead, the desired direction is now towards a holistic approach to Asset Management. New funding regime system and financing ideas are needed for a new approach to First Nations infrastructure. The AFN is currently exploring way to continue momentum. Virtual Asset Management Plan forums are under development for this year.

EMERGENCY SERVICES

AFN ISC Emergency Services Program and Funding Review Meeting

AFN Emergency Services is awaiting a decision from ISC on the new program funding model to have it align with other AFN sectors for a more stable funding approach in line with a five year program funding model.

Chiefs Committee on Emergency Management (CCEM)

AFN Emergency Services is now part of Regional Chief Hart's bi-weekly combined committee meetings with the Chief Committee on Housing and Infrastructure. The intent is to share information and updates on issues that might impact First Nations. All emergency service and management issues from the regions are brought forward



during these meetings, but the recent focus has been on the overall effect of COVID-19. All regular teleconference meetings for the CCEM are on hold till the COVID-19 crisis has passed, and the AFN resumes its regular business functions.

Upcoming Meetings

- **May 22 & May 29, 2020** - Weekly Joint Chiefs Committees (CCoHI and CCEM) COVID-19 - Online
- **May 22, 2020** - ISC Infrastructure Meeting - Online
- **June 4, 2020** - FEHNCY Meeting - TBD
- **June 9, 2020** - ISC DG Meeting – TBD
- **June 11, 2020** - Chiefs Committee on Housing and Infrastructure (CCoHI) Meeting – Online



LANDS, TERRITORIES AND RESOURCES SECTOR

The AFN Lands, Territories and Resources Sector (LTR) is focused on supporting First Nations inherent rights, title and jurisdiction by advocating for changes to key federal policies, such as the Additions to Reserve policy (ATR), Specific Claims policy, Comprehensive Land Claims policy (CLCP), and the Inherent Right to Self-Government (IRSG) policy.

Updates/Activities

Specific Claims

First Nations have consistently called for a fair and transparent specific claims process for over 100 years. Since Canada established its Office of Native Claims in 1973 there have been over 50 separate calls, through a wide range of processes and reform efforts, for Canada to address its conflict of interest in the claims process: Canada both administers the process, controls the funding, and is the defendant. In 2016, following the conclusion of the 5-year review of the *Specific Claims Tribunal Act*, and the release of the Office of the Auditor General (OAG) report on the specific claims process, the AFN and Crown-Indigenous Relations and Northern Affairs Canada (CIRNA) formed a Joint Technical Working Group (JTWG) mandated to examine the specific claims process and develop joint recommendations for change. In 2017, the Chiefs-in-Assembly passed AFN Resolution 91-2017, *Support for a Fully Independent Specific Claims Process*, which mandates the AFN to advocate through the JTWG for a fully independent specific claims process. Beginning in 2019, the AFN undertook a national dialogue process with First Nations on what a fully independent specific claims process should look like. Sessions were held in Vancouver, Fort St. John, Six Nations, Thunder Bay, Edmonton, Halifax, Quebec City, Saskatoon, and Winnipeg. The AFN also accepted written submissions that will be included as part of a final report on the dialogue process. The final report, which will include options for moving forward, will be provided to the Chiefs-in-Assembly for review and consideration by July 2020. Currently, the AFN and its technical representatives on the Joint Technical Working Group are working to review the dialogue materials and finalize the report. Draft report/proposal will be distributed to all participants for input and comment prior to submission.

Additions to Reserve (ATR)

Canada's Additions to Reserve policy (ATR) and process is a critical tool for addressing outstanding lawful obligations such as specific claims, while at the same time supporting the growth and development of First Nations communities and economies. The process has long been a barrier to both reconciliation and community development, because it is extremely time consuming, lacks adequate resourcing or support at all levels, and can be easily frustrated by third parties, such as municipalities or provinces. To help address these ongoing concerns, the AFN is



advocating for a joint AFN – Canada process on ATR policy reform, which would include policy review, gaps analysis, and recommendations to expedite the process. The split of the department (C-97) has potential implications for ATR because it separates policy and operations between Indigenous Services Canada and CIRNAC and requires both Ministers to sign off on a final ATR submission. The AFN will be seeking to gather more information about the potential impacts of C-97 on the ATR process in the coming months. The AFN is working with the Chiefs Committee on Lands, Territories and Resources to identify members to sit on a bi-lateral ATR policy table with Canada, as well as potential research topics for the 2020-21 fiscal year.

Comprehensive Land Claims and Inherent Right to Self-Government

The AFN is continuing to advocate for the development of a First Nations-driven process to replace the interim Comprehensive Land Claims (CLCP) and Inherent Right to Self-Government (IRSG) policies. Prior to the 2019 federal election, the AFN submitted a multi-year proposal that would provide funding to support a First Nations driven process to replace the CLCP and IRSG with policies or approaches that are consistent with a recognition of First Nations rights, title and jurisdiction. This is consistent with AFN resolution 25-2019 *Support for a First Nations Led Engagement Process on Nation Building* which rejects federally imposed processes and approaches to the recognition of Indigenous Rights, Title and Jurisdiction and calls for a First Nations driven process. The proposal was not accepted. Following the re-election of the federal Liberal government, Minister Bennett received a 2019 Mandate Letter which includes a commitment to ‘work with First Nations, Inuit and Metis to redesign the Comprehensive Claims and Inherent Rights Policies. The AFN is advocating for the development of a joint AFN – CIRNAC policy review process in 2020 that would result in a joint workplan setting out topics for review and potential reform. The workplan would require approval by Chiefs-in-Assembly before a more expansive First Nations led reform could occur. The AFN is currently seeking input and guidance from the Chiefs Committee regarding the specific issues they want a joint process to examine.

First Nations Lands Management Act (FNLMA)

The AFN has been approached by the Lands Advisory Board (LAB) to advocate support for legislative change to the FNLMA. The AFN has drafted a letter of support and will be looking to leadership for input. A Briefing Note, draft letter of support and background material has been submitted for consideration to the National Chief’s office.

Treaty

In response to this government’s mandate to support Treaty implementation, the AFN has prepared a proposal that has been submitted for consideration. Once a confirmation is received, the AFN will look for input from the CCoLTR on next steps.

Landless Bands



The AFN is waiting for confirmation on a submitted proposal to work with Canada to address the outstanding issues of First Nations without a land base.



LANGUAGES AND CULTURE SECTOR

Updates/Activities

The Indigenous Languages Act (the Act)

The Act received Royal Assent on June 21, 2019. The majority of the Act came into force on August 29, 2019. The remaining sections – which relate primarily to the establishment of the Office of the Indigenous Languages Commissioner (OCIL) – will come into force on October 1, 2020, or, if a Commissioner of Indigenous Languages is appointed before October 1, 2020, on the day on which the Commissioner is appointed.

View the Act here: www.parl.ca/DocumentViewer/en/42-1/bill/C-91/royal-assent.

Indigenous Languages and Cultures Program

The Department of Canadian Heritage (DCH) call for proposals for the new Indigenous Languages and Cultures (ILCP) program 2020-2021 fiscal year are now closed. The number of applications received by the DCH has doubled. In response to COVID-19, existing First Nations program recipients for the 2019-2020 fiscal year, have amended their agreements with the DCH. This provides flexibility for program delivery due to possible delays. Funds can now be carried over and recipients will have the ability to alter their program, if desired.

Supporting Implementation of the Act

The Joint Implementation Steering Committee (JISC) – with representatives of the AFN, Inuit Tapiriit Kanatami (ITK), and the Métis National Council (MNC) and the DCH – continue to meet regularly to discuss the joint implementation of the Act, including:

- Developing a new Investment Framework for Indigenous languages;
- Strengthening Indigenous languages entities;
- Supporting education and lifelong learning/multifaceted approaches;
- Advancing a Whole-of-Government conformance with the intent of the Act;
- Advancing Federal/Provincial/Territorial cooperation;
- Supporting coordination of First Nations languages efforts;
- Developing regulations;
- Planning for the International Decade of Indigenous Languages;
- Communications planning;
- Establishing the Office of the Commissioner of Indigenous Languages (OCIL);
- Supporting the appointment of the Commissioner;
- Examining translation and interpretation approaches; and
- Supporting evaluation and monitoring approaches for the three-year Independent Review and five-year Parliamentary Review.



The federal government, in response to their statutory obligations to consult set out in the Act, began an online and in-person consultation process. They focused on the OCIL and the Indigenous Languages Investment Framework. See their Press Release here: <https://www.canada.ca/en/canadian-heritage/news/2020/03/the-government-of-canada-consults-with-indigenous-peoples-on-the-implementation-of-the-indigenous-languages-act.html>. The government also developed and published a Discussion Paper in connection with their consultations and developed a questionnaire for input. You can access the Discussion Paper and find the questionnaire at the following link: <https://www.canada.ca/en/canadian-heritage/campaigns/consultation-indigenous-languages-act-implementation.html>. The AFN, ITK and MNC objected to the unilateral actions of the DCH regarding the development of their consultation document and process. Discussions are currently underway about revisions to the Discussion Paper and next steps for consultations in the current COVID-19 context. The JISC is exploring options to enable the consultation process and activity to proceed.

Indigenous Languages Investment Framework

The Indigenous Languages Investment Framework is one area of focus for the JISC. The AFN continues to advance significant changes to the current funding approach, including the ability for First Nations to apply multifaceted approaches, multiyear and flexible funding mechanisms, and immediate increases to the overall funding. The framework is in the early stages of development. The JISC is in the early stages of developing an evergreen overall implementation plan, to set out a common understanding of the overall vision, objectives, milestones, and evaluation mechanisms. This implementation plan is intended to guide the implementation activity on an ongoing basis. The OCIL will be an independent arms-length entity that will advocate for Indigenous language revitalization. The legislation sets out the mandate however, Indigenous Peoples are best situated to define its purpose. The consultation process is intended to support the establishment of the OCIL. The two-day National Indigenous Languages Symposium has been rescheduled to the fall. Planning will continue jointly with the DCH, the AFN, ITK and MNC. The objective of this Symposium will be to provide guidance on the implementation of the Act, including key principles, recommendations, promising practices/models and next steps for the Indigenous Languages Investment Framework and the OCIL. The event is not intended to serve as a consultation event.

Decade of Indigenous Languages

An International Decade of Indigenous Languages was announced by the UN General Assembly on December 18, 2019. Planning will begin soon to maintain momentum leading up to the launch of thein 2022, including the need to develop a national action plan to ensure tangible outcomes emerge from the Decade. *A Guide to An Act respecting Indigenous languages: A Tool for First Nations Language Revitalization* is a resource designed to support efforts to reclaim, revitalize, preserve and strengthen First Nations languages. It is available on the AFN website at: <https://www.afn.ca/policy-sectors/languages-and-culture/>.



LEGAL AFFAIRS SECTOR

Updates/Activities

Litigation

Constitutional References- *Greenhouse Gas Pollution Pricing Act*

The AFN intervened and provided submissions to the Court of Appeal of Ontario and Alberta in their respective Constitutional References regarding the constitutionality of the federal government's *Greenhouse Gas Pollution Pricing Act* ("GGPPA"), generally known by the public as the federal carbon tax, which took place in April and December of 2019, respectively. The AFN argued that the constitutional authorities exercised by the federal or provincial governments are constrained by section 35 of the Constitution. The AFN further sought and was granted leave to intervene in Manitoba's judicial review of the GGPPA which will not be heard until 2021. More importantly, the AFN was also granted leave to intervene in the Supreme Court of Canada's ("SCC") hearing of the appeals of the Ontario, Saskatchewan and Alberta's Court of Appeal's respective decisions on the constitutionality of the GGPPA, which is tentatively scheduled to be heard by the SCC in September of 2020. The SCC's decision is of great import to First Nations, who are disproportionately impacted by the effects of climate change and the imposition of the GGPPA.

Restoule v. Canada

The AFN sought and was granted intervenor status in *Restoule v. Canada* (AG) which will be heard by the Ontario Court of Appeal in January of 2021, a seminal case dealing with interpretation of the augmentation clause in the Robinson Huron-Superior Treaties, and intends to make submissions supporting the First Nations Respondents on the matter. This will include advocating that full consideration be given for the nation-nation relationship in treaty interpretation, the need for section 35 of the Constitution be given full effect and the role of UNDRIP in the domestic Canadian context with respect to treaty interpretation.

Constitutional Reference – *Act Respecting First Nations, Inuit and Métis children, youth and families*

The AFN sought and was granted intervenor status in the Government of Quebec's reference regarding the constitutionality of the *Act Respecting First Nations, Inuit and Métis children, youth and families* (the "Act") which will be heard by the Quebec Court of Appeal. The Government of Quebec is challenging the federal government's constitutional authority to pass this historic piece of legislation. Although the hearing date has not been scheduled as of yet, the AFN intends to make submissions supporting the constitutionality of the Act, including addressing First Nations inherent authority over child and family matters, the role of the impugned legislation in



addressing reconciliation, and the role of s. 35 and international law in the courts constitutional analysis.

Child Welfare (Canadian Human Rights Tribunal)

Canada was ordered to pay compensation in the amount of \$40,000 to victims of Canada's discriminatory practices under the First Nations Child and Family Services Program (FNCFS program) and Jordan's Principle. Canada was also ordered to enter into discussions with the AFN and the First Nations Child and Family Caring Society of Canada to co-develop a culturally safe process to locate the victims/survivors identified in its decision namely, First Nations children and their parents or grandparents. Discussions between Canada, the AFN and the Caring Society on a compensation scheme commenced on January 7, 2020. The discussions to date have been productive, and the Parties have been able to come to agreement on how to resolve most issues. At this point, there remains disagreement on three important definitions that the parties cannot find common ground. These issues are: "essential service", "service gap" and "unreasonable delay".

Child Welfare (Class Action in Federal Court of Canada)

On January 28, 2020, the AFN filed a class action on child welfare discrimination with the Federal Court of Canada. As there are two competing class actions, Legal Counsel for the AFN have been working with opposing lawyers to obtain a favourable settlement of the case, failing which they shall prosecute the claims, to the collective benefit of their respective clients and the class members. Discussions are ongoing on how best to move both class actions forward.

Other Legal Concerns

Safety and Security of First Nations Women and Girls and Missing and Murdered Indigenous Women and Girls (MMIWG)

The AFN Women's Council is also having on-going discussions with representatives from Crown/Indigenous Relations Canada (CIRC) regarding engagement for the development of a First Nations National Action Plan to end violence against First Nations women, girls and 2SLGBTQQIA. The quarantine and physical distancing measures implemented during the COVID-19 pandemic has resulted in a sharp increase in incidences of domestic violence across Canada. First Nations women and girls are likely also experience much higher rates of violence. On April 17, 2020 Minister Monsef from Women and Gender Equality Canada, held a conference call with women's organizations and service providers, including the AFN Women's Council. During the call, Minister Monsef announced that federal government would be providing \$207.5 million dollars in emergency funding for domestic violence and homeless shelters. This funding includes \$10 million to be provided by Indigenous Services Canada (ISC) for the existing network of 46 emergency shelters on reserves and in the Yukon. On May 15, 2020 the Honourable Yukon Minister responsible for the



Women's Directorate, Jeanie Dendys, the Honourable Minister for Women and Gender Equality, Maryam Monsef, and the Honourable Minister of Crown-Indigenous Relations, Carolyn Bennett held a virtual national engagement session with participants from federal/provincial/territorial/Indigenous governments and various Indigenous partners and experts. The purpose of the session was to have discussions to inform regional and national actions responding to the National Inquiry on Missing and Murdered Indigenous Women and Girls' (MMIWG's) Calls for Justice. This session provided an opportunity to hear about Yukon's approach, priorities, challenges and promising practices related to addressing violence against Indigenous women, girls, and Lesbian, Gay, Bisexual, Transgendered, Queer (LGBTQ) and Two-Spirited people.

Policing

On April 21 and May 14, 2020, the AFN Legal Affairs and Justice Sector held a conference call with officials from Public Safety Canada (PSC) to discuss joint activities for the current fiscal year. PSC officials indicated that they are interested in developing a work plan and convening a working group to begin exploring the co-development of First Nations policing as essential services through federal legislation. On May 15, 2020 AFN staff from the AFN Legal Affairs and Justice unit held a conference call with officers from the RCMP Indigenous Relations Services, to discuss the issues which have arisen between First Nations and the RCMP, and to discuss opportunities for the development of Restorative Justice initiatives. The RCMP officials indicated that they are open to building stronger relationships with First Nations through Restorative Justice initiatives, which move beyond the pilot projects they have advanced in the past. In particular, they are interested in looking at what Restorative Justice measures could be developed and implemented from the First Nations perspective. Both discussions with PSC and the RCMP are at a very preliminary stage, however it is hoped that there will be continued positive discussions and commitments to furthering both initiatives.

Bill S-3

In 2016, the Quebec Superior Court ruled in *Descheneaux* that the Indian Registration provisions of the *Indian Act* were unconstitutional. The Court directed Canada to remove all sex-based discrimination from the *Indian Act*. The amended legislation required the Minister of Indigenous Services Canada to initiate consultations on issues related to registration and band membership, as well as participate in a "collaborative consultation process" to address the efficacy of existing reforms and guide the direction of future reforms.

As part of the Federal Government's Collaborative Consultation Process, the AFN participated in multiple engagement sessions across Canada with First Nations to provide updates and information on Indian Registration, Band Membership and First Nation Citizenship. The AFN participated in the current information sessions that began in February 2020, but are currently on hold due to COVID-19. Further, the AFN provided culturally-appropriate, accessible, and independent information to First Nations on Canada's reforms to Indian registration. As part of these efforts, the AFN



developed a variety of materials to support First Nations, including discussion papers, a guide on membership codes and a compendium of citizenship codes for First Nations.

Indian Residential Schools Settlement Agreement

The AFN, as a Party to the Indian Residential Schools Settlement Agreement (“IRSSA”), regularly participates in court proceedings that deal with matters regarding the IRSSA, such as privacy concerns, document disposition and procedural fairness. This year the AFN participated in matters regarding the sunset of the Independent Assessment Process (IAP) and the disposition of non-claims records, which are related to the operations, management, and oversight of the IAP. These matters are currently ongoing between the parties of the IRSSA.

Independent Assessment Process Notice Plan

To secure compensation under the terms of the Indian Residential School Settlement Agreement (“IRSSA”), First Nations claimants were required to participate in either the Independent Assessment Process (“IAP”) or Alternative Dispute Resolution (“ADR”). As part of these processes, certain records were created including the claimants’ applications, transcripts of testimony and the final decision with respect to their claims. Justice Perell of the Supreme Court of Canada ultimately ordered that these records are to be destroyed in September of 2027, unless claimants provide their express consent to the retention of their records at the National Center for Truth and Reconciliation (“NCTR”). The AFN was tasked by the Supreme Court of Canada, by way of the Notice Plan, to assist in the dissemination of information to claimants on their rights in relation to their records created as part of the IAP or ADR processes, as well as provide culturally appropriate supports to First Nations individuals across Canada who require additional information on the Notice Plan, wish to receive a copy of their records, and/or wish to consent to the preservation of their records at the NCTR. The AFN is mandated to continue to render these supports to First Nations further to the terms of the Notice Plan until August 31, 2020.

Cannabis

After the March 9, 2020 meeting of the Chiefs Committee on Cannabis in Vancouver, BC, technical staff began work on terms of reference for a technical subcommittee and began drafting proposed legislative amendments to Bill C-45. In addition, the AFN published a fact sheet on cannabis use and COVID-19 as part of ongoing efforts to respond to the coronavirus pandemic. Work continues on the development of educational materials related to cannabis, as well as a cannabis microsite to provide relevant information about cannabis to First Nations.



RESEARCH AND POLICY COORDINATION SECTOR

The Research and Policy Coordination Sector oversees a number of projects including: The New Fiscal Relationship, Parliamentary Advocacy, the AFN-Canada MOU Process, and the Indigenous Peoples' Space.

Updates/Activities

Federal Response to COVID-19:

In order to combat the challenges that COVID-19 has introduced, the federal government has made a number of changes both in terms of Parliamentary procedure and financial support for individuals impacted by the pandemic. On April 20, 2020, a motion was passed (22 Yeas to 15 Nays) to create a Special Committee on the COVID-19 pandemic. This group will meet while the House is adjourned (until May 25, 2020). It will no longer exist when the House resumes regular sittings. All 338 Members of Parliament are on the committee, which, like the House's committee of the whole, is chaired by the House Speaker. Quorum for the Special Committee is set at seven (much lower than the House Chamber's 20 MPs). Starting April 28, 2020, the committee will meet at noon every Tuesday and Wednesday. As of May 7, 2020, the committee will also convene Thursdays at noon. The committee will meet via videoconference on Tuesdays and Thursday, and in person in the House Chamber on Wednesdays. It is expected that Party Whips will coordinate sittings so that proportional yet reduced numbers of members will be present for safety precautions.

COVID-19 relief initiatives both specifically for First Nations

On March 18, 2020, the Government of Canada announced that it would provide \$305 million for a new distinctions-based Indigenous Community Support Fund, to address immediate needs in First Nations, Inuit, and Métis communities. First Nations received \$215 million of this. \$15 million was allocated for regional and urban Indigenous organizations. On April 18, 2020, the Government of Canada announced it would provide \$306.8 million in financial support for Indigenous business and financial institutions. The funding will allow for interest-free loans, as well as non-repayable contributions, to help Indigenous businesses unable to access the government's existing COVID-19 support measures. Additional funding will help Aboriginal Financial Institutions cover operational expenses, and help the National Aboriginal Capital Corporations Association increase its operational capacity. On April 22, 2020, the Government of Canada announced it would provide \$75.2 million to specifically increase support for First Nations, Inuit, and Metis Nation students, this was announced as part of a \$9 billion relief package for students that included the CESB below.

Additional programs for First Nations

The Canada Emergency Response Benefit ([CERB](#)) – If you have stopped working because of COVID-19, the Canada Emergency Response Benefit (CERB) may



provide you with temporary income support. The CERB provides \$500 a week for up to 16 weeks.

The Canada Emergency Student Benefit (CESB) – For post-secondary students and recent graduates who are ineligible for the Canada Emergency Response Benefit or for Employment Insurance, but who are unable to find full-time employment or are unable to work due to COVID-19. The CESB would provide \$1,250 per month for eligible students from May through August 2020, and \$1,750 for students with dependents and those with permanent disabilities.

The Canada Emergency Wage Subsidy (CEWS) – As a Canadian employer whose business has been affected by COVID-19, you may be eligible for a subsidy of 75 per cent of employee wages for up to 12 weeks, retroactive from March 15, 2020, to June 6, 2020.

The Canada Emergency Commercial Rent Assistant (CECRA) – The CECRA provides much needed relief for small businesses experiencing financial hardship due to COVID-19. It offers forgivable loans to eligible commercial property owners so that they can reduce the rent owed by their impacted small business tenants by at least 75 per cent for the months of April, May and June, 2020.

Parliamentary Highlights

On April 20, 2020, the House is adjourned until May 25, 2020, in the wake of the creation of a new special committee on COVID-19.

On April 11, 2020, Bill C-14, a second Act respecting certain measures in response to COVID-19 was given Royal Assent. This act amends the income tax act regarding the emergency wage subsidy.

Committee Highlights

On May 1, 2020, the House Standing Committee on Indigenous and Northern Affairs (INAN) met to discuss the Government's Response to the COVID-19 pandemic. Minister of Crown-Indigenous Relations Carolyn Bennet, Minister of Indigenous Services Marc Miller, and Minister of Northern Affairs Dan Vandal appeared as witnesses. Department of Crown-Indigenous Relations and Northern Affairs Deputy Minister Daniel Watson and Department of Indigenous Services Deputy Minister Jean-François Tremblay appeared as witnesses. You will be able to watch a recording of this meeting here: INAN Meeting 6. On April 28, 2020, the first virtual sitting of the Special Committee on the COVID-19 Pandemic (COVI) happened. The committee sits on Tuesdays and Thursdays virtually and in-person in the House of Commons on Wednesdays. This will be the arrangement until May 25, 2020.

On April 21, 2020, the House Standing Committee on Health met to discuss the Briefing on the Canadian Response to the Outbreak of the Coronavirus, representatives of ISC, the National Association of Friendship Centres, and the South Chiefs' Organization Inc. appeared as witnesses. You can watch a recording of the committee meeting here: HESA Meeting No. 14. Witnesses begin at 14:08.

On April 20, 2020 a motion was passed (22 Yeas to 15 Nays) to create a special Committee on the COVID-19. This group will meet while the House is adjourned.



On April 8, 2020, the House Standing Committee on Finance discussed the Government's Response to the COVID-19 Pandemic, AFN National Chief Perry Bellegarde, AFNQL Regional Chief Ghislain Picard, and National Chief of the Dene Nation Norman Yakelaya appeared as witnesses. You can listen to a recording of the committee meeting here: [FINA Meeting No. 17](#). National Chief begins his presentation at 14:14.

On March 13, 2020, the House voted to suspend Parliament for 5 weeks in light of COVID-19. This included previously scheduled breaks of March 16-20 and April 6-17, 2020. As such the budget announcement scheduled for March 30, 2020, will now be delayed.

On March 25, 2020, several MPs returned to pass an aid package bill worth \$107 billion to help Canadians struggling during the COVID-19 pandemic. The legislation boosts access to employment insurance and other programs that will flow money to workers and businesses in need.

When the House returns to business, the AFN will continue to monitor progress on the following draft pieces of legislation:

Number	Title	Sponsor	Last Stage Completed
C-5	<u>An Act to amend the Judges Act and the Criminal Code</u>	Minister of Justice and Attorney General of Canada, David Lametti	Second Reading; In Committee
C-6	<u>An Act to amend the Citizenship Act (Truth and Reconciliation Commission of Canada's call to action number 94)</u>	Minister of Justice and Attorney General of Canada, David Lametti	First Reading
C-201	<u>An Act to develop a national school food program for children</u>	Don Davies – NDP	First Reading
C-207	<u>An Act to amend the Criminal Code (presentence report)</u>	Majid Jowhari – Liberal	First Reading
C-213	<u>An Act to enact the Canada Pharmacare Act</u>	Peter Julian – NDP	First Reading
C-215	<u>An Act respecting Canada's fulfillment of its greenhouse gas emissions reduction obligations</u>	Kristina Michaud – Bloc Québécois	First Reading
C-230	<u>An Act respecting the development of a national strategy to redress environmental racism</u>	Lenore Zann – Liberal	First Reading
C-232	<u>An Act respecting a Climate Emergency Action Framework</u>	Leah Gazan – NDP	First Reading
C-237	<u>An Act to establish a national framework for diabetes</u>	Sonia Sidhu – Liberal	First Reading



Number	Title	Sponsor	Last Stage Completed
C-240	<u>An Act to amend the Canada Elections Act (voting age)</u>	Don Davies – NDP	First Reading
S-208	<u>An Act to amend the Criminal Code (independence of the judiciary)</u>	Senator Kim Pate	First Reading
S-212	<u>An Act to establish International Mother Language Day</u>	Senator Mobina S.B. Jaffer	First Reading
S-214	<u>An Act to amend the Criminal Records Act, to make consequential amendments to other Acts and to repeal a regulation</u>	Senator Kim Pate	First Reading

The New Fiscal Relationship

On June 10, 2019, the Joint Advisory Committee on Fiscal Relations (JACFR) submitted its Interim Report for Engagement – *Honouring our Ancestors by Trailblazing a Path to the Future* – to the National Chief of the AFN and the Minister of Indigenous Services (ISC). The report also was the subject of a dialogue session at the Annual General Assembly (AGA) in Fredericton, New Brunswick on July 21, 2019, and was provided in kits to all delegates at the AGA. Resolution 24/2019, passed during this Assembly, calls on members of the JACFR, the AFN and ISC to engage extensively with First Nations about this interim report, and bring their findings back to Chiefs at the AGA in July of 2020. While some additional engagement activities have been conducted, the engagement plan and products continue to be developed by the JACFR. The JACFR met in Ottawa, February 26-27, 2020, to continue this work.

New Fiscal Relationship Transfer

For the 2019-2020 fiscal year, eighty-five First Nations are receiving the New Fiscal Relationship (NFR) Transfer (formerly known as the 10-year grant). The NFR Transfer is an alternative to contribution agreements for transferring funds between Canada and First Nations. It increases predictability by providing ten years of guaranteed funding, with an annual escalator that matches inflation and population growth. Any unspent funds can be carried forward into the next fiscal year and all funds received under the NFR Transfer can be applied to the priorities set by the First Nation. This will help First Nations plan their own futures and apply funding to the greatest needs or best opportunities for that First Nation. The NFR Transfer also increases First Nations control by eliminating program terms and conditions, recipient audits, and compliance reviews, as set and conducted by Canada. The NFR Transfer also decreases the reporting burden on First Nations governments, with 92 per cent less data to be provided to Canada than is currently required under contribution agreements. First Nations not currently participating in the NFR Transfer received a letter asking for expressions of interest to participate for the 2020-2021 fiscal year and those interested First Nations are being contacted to complete the process to qualify for the NFR Transfer beginning in fiscal year 2020-21.



AFN-Canada MOU Process

On December 15, 2016, Prime Minister Justin Trudeau responded to the Assembly of First Nations' (AFN) call for a high-level mechanism to discuss First Nations' priorities by agreeing to a process for dialogue with the AFN. The MOU is a simple agreement to meet a minimum of three times a year, with one of those meetings chaired by the Prime Minister. Current priorities for dialogue include the following. On February 28, 2020, the AFN co-chaired a meeting of senior officials to prepare for a future meeting between the AFN and the Prime Minister under the MOU (date TBD).



SOCIAL DEVELOPMENT SECTOR

The Assembly of First Nations (AFN) Social Development sector works to advance the rights of First Nations by advocating for social policy and service delivery that is holistic, culturally-based and sustainable. Through this advocacy, our sector promotes First Nations control and jurisdiction in the areas of child and family services, Jordan's Principle, social programs such as income assistance and assisted living, and early learning and child care.

Updates/Activities

CHILD AND FAMILY SERVICES

Work on the Quebec Constitutional Reference and the Federal Class Action to compensate victims of the First Nations Child and Family Services system in Canada remains ongoing. On April 6, 2020, the Chiefs Committee on Child and Family Services and Self-Determination met by conference call. Indigenous Service Canada provided updates on COVID-19 and *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act). Mary Ellen Turpel-Lafond provided an update on the final Protocol Agreement between Canada and the AFN. On April 15, 2020, the Institute of Fiscal Studies and Democracy (IFSD) hosted a virtual roundtable on funding approaches and models in child and family services. The IFSD is in the final phase of their research to develop a new funding model in child and family services for long term reform. On April 23, 2020, the National Advisory Committee on First Nations Child and Family Services Program Reform (NAC) regional representatives met by conference call. The NAC reviewed amendments to the current Terms of Reference and discussed their Action Tables. On April 30, 2019, the First Nations Incidence Study (FNIS) Advisory Committee hosted a conference call. The research team provided an update to the committee on progress to date. The FNIS is a survey of front-line child protection workers which gathers information on types of investigations, findings, services provided, court hearings and the overrepresentation of First Nations children in care. As an exceptional measure, from at least March 9, 2020, to September 30, 2020, ISC will continue to cover the eligible maintenance costs to First Nations child and family services agencies who are currently providing services to youth who would normally be aging out of care during this period.

JORDAN'S PRINCIPLE

The Jordan's Principle Action Table (JPAT) held a virtual meeting on April 16, 2020, to discuss COVID-19 and implications on Jordan's Principle. Jordan's Principle continues to operate as usual, with requests being processed and payments continuing (with the exception of fee-for-service supports where services were not rendered because of COVID-19). Jordan's Principle can assist families in accessing emergency supports and supplies to help during the COVID-19 pandemic. AFN Social Development continues to advocate for First Nations children and youth currently receiving products, services and supports through Jordan's Principle to continue to do so throughout the



COVID-19 pandemic, even if they will reach the age of majority during the pandemic. Between July 2016 and February 29, 2019, more than 550,000 products, services and supports were approved under Jordan's Principle.

EARLY LEARNING AND CHILD CARE (ELCC)

The Social Development Sector is monitoring provincial, territorial and First Nations responses to COVID-19 in relation to childcare and is in communication with the National Expert Working Group (NEWG) on First Nations ELCC to provide support where needed. The NEWG will meet virtually with federal officials on May 7, 2020, to discuss the impacts of COVID-19 on First Nations ELCC. Many childcare centres are closed across most of the country to help limit the spread of COVID-19, with some spaces remaining open for frontline workers in areas where child care has been mandated closed.

SOCIAL PROGRAMS: Income Assistance and Poverty Reduction

The Technical Working Group on Social Development (TWGSD) will be meeting in early May 2020, to finalize the proposals for the Income Assistance and Poverty Reduction studies. The Social Development Sector provided materials for the development of an infographic detailing social assistance for individuals through Canada's Economic Response Plan to the novel coronavirus, COVID-19. This infographic will continue to be updated as Canada's Economic Response Plan to COVID-19 evolves. Of note, the Canada Emergency Response Benefit (CERB) eligibility requirements were changed on April 15, 2020, to allow individuals to make up to \$1000/month of income in addition to the CERB. There is a new Canada Emergency Student Benefit (CESB) in development which will provide students and new graduates with up to \$1250/month, or up to \$1750/month if they have dependents or disabilities. Details have yet to be released.

Upcoming Events:

- **May 2020** (date TBC): Technical Working Group on Social Development - Online
- **May 19, 2020** - Jordan's Principle Operations Committee Team - Online