



Manitoba Keewatinowi Okimakanak Inc.

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MKO Applauds Federal Court of Canada's Decision to Dismiss Government of Canada's Challenge to First Nations Child Welfare Compensation Orders Issued by Canadian Human Rights Tribunal

Treaty Five Territory, Thompson, MB – Manitoba Keewatinowi Okimakanak (MKO) Inc. is applauding the recent decision by the Federal Court of Canada dismissing the legal challenge by the Government of Canada regarding the First Nations child welfare compensation orders issued by the Canadian Human Rights Tribunal in September 2019.

“The Federal Court’s decision, announced on September 29, 2021, the day prior to the first National Day for Truth and Reconciliation, signals a victory for First Nations children and families in Manitoba and across Canada,” said Grand Chief Garrison Settee.

On September 6, 2019, the Tribunal issued orders regarding First Nations child welfare. The Tribunal ordered the federal government to compensate First Nations children, parents and grandparents who were discriminated against and unnecessarily affected by the child welfare system.

In response, the federal government filed a legal challenge to the Tribunal orders. The judgment announced by the Federal Court on September 29, 2021, dismissed the legal challenge and upheld the Tribunal orders.

On October 1, 2021, Indigenous Services Canada (ISC) issued a statement in response to the Federal Court’s decision. ISC indicated “Canada is reviewing the Federal Court's decision and further information will be forthcoming.” Further, ISC stated “Canada remains committed to compensating First Nations children who were removed from their families and communities and to continue implementing significant reform of the First Nation Child and Family Services Program.”

“We know it is possible the federal government may appeal the decision by the Federal Court,” stated Grand Chief Settee. “However, we hope the federal government will do

the right thing for First Nations children and families - discontinue their discriminatory actions - and end their ongoing litigation against the Tribunal orders.”

“We know the truth, we see the truth, we live the truth: the federal government has discriminated against First Nations children, and now as part of reconciliation, we strongly urge the federal government to act on the Tribunal orders and compensate our children, parents and grandparents for their pain and suffering,” said Grand Chief Settee.

In 2016, the Tribunal issued its landmark decision in support of the First Nations Child and Family Caring Society and the Assembly of First Nations. The Tribunal indicated the federal government was racially discriminating against First Nations children and families by knowingly underfunding the child welfare system and refusing to implement Jordan’s Principle. Since 2016, subsequent orders have been issued to the federal government.

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