

# Creating a New Legacy

*Building a Strong Foundation  
for Future Generations*

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A CHIEFS OF ONTARIO CALL  
TO ACTION ON FIRST NATIONS  
PROVINCIAL PRIORITIES 2022



## Artist's Statement

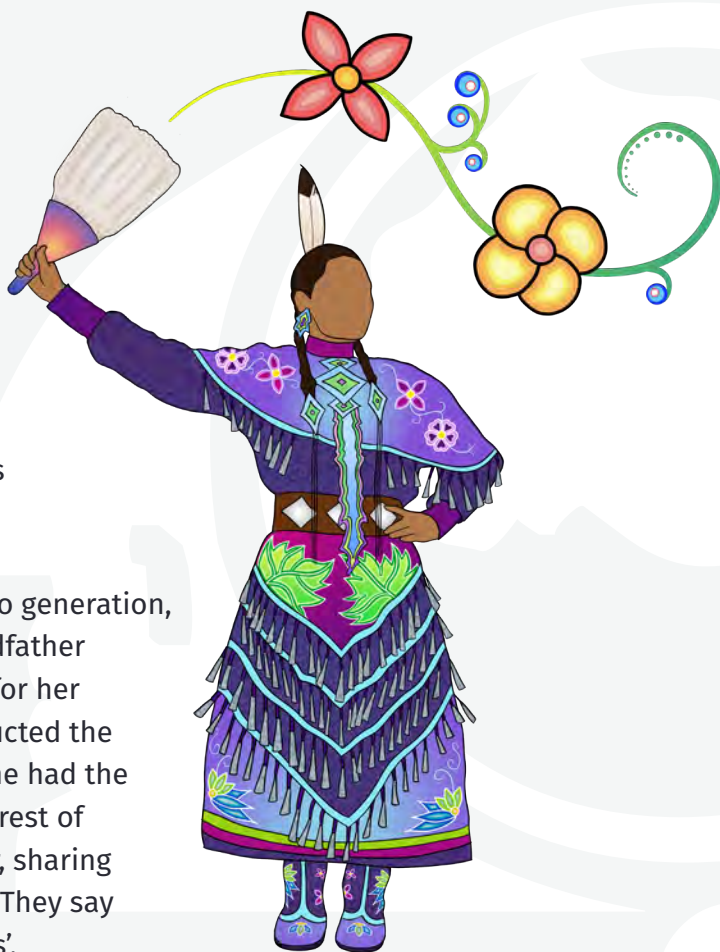
“The ladies’ jingle dress has been a part of oral stories around Treaty #3 for all my life. Origin stories tell how the jingle dress is a gift from the Creator, gifted through a dream and is meant for healing.

In the story, as passed down from generation to generation, Maggie was perpetually ill as a child. Her grandfather offered his tobacco and prayed to the Creator for her improved health. In a dream, the Creator instructed the grandfather to make this dress for her. Once she had the dress, Maggie got better. She would spend the rest of her long life as a jingle dressmaker and dancer, sharing the teachings associated with the Jingle dress. They say people called her ‘The First Lady of Jingle Dress’.

There have been songs, dances and ceremonies that came with the dress through her grandfather’s vision. Ultimately, Maggie was healed through wearing and dancing with the dress. Today, Whitefish Bay has generations of Maggie’s family members who dance this style and carry forward the jingle dress’s legacy throughout the territory, and across Canada and the United States.

I used the Ojibway beaded floral pattern to depict the rich history of the beadwork seen throughout Treaty #3 territory.”

**ARTIST:** Chrissy MacLeod, Onigaming First Nation, Treaty #3 Territory



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## Introduction

On March 3, 2022, the Chiefs of Ontario hosted a political strategy session for Ontario First Nations Leadership to discuss their needs and challenges leading up to the 2022 Ontario general election. ***Creating a New Legacy: Building a Strong Foundation for Future Generations*** is the product of that session. Further, this document is a call to action to address the many legacy issues brought on by centuries of colonization and chronic underfunding. It is a call to heal past harms in the spirit of peace, friendship, and recognition of First Nations inherent and Treaty-protected rights.

The priorities outlined in this document are not new and have been articulated by First Nations through countless election cycles. The first step to addressing these oft-neglected priorities is to build a renewed relationship consistent with First Nations sovereignty and the principle of Free, Prior, and Informed Consent. First Nations priorities are Ontario's priorities. No longer can governments quietly make decisions that affect the rights and interests of First Nations people without their permission. It is time for us – both First Nations and the Government of Ontario – to chart a new path that embraces effective self-determined solutions.



First Nations leadership are seeking a commitment from the next provincial government to act on the five following priority areas:

1. A Renewed Relationship
2. Sustainable Community Development and Environmental Protection
3. Health and Emergency Preparedness
4. Community Well-being
5. Indian Residential School Investigations

We urge you, as leaders of Ontario's major provincial parties, to take account of the priorities outlined in this document when delivering your message to the citizens of Ontario this election season. We ask that you commit to careful consideration, concrete action, and an all-of-government approach to ***create a new legacy for First Nations and all Ontarians.***

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***Disclaimer: Creating a New Legacy: Building a Strong Foundation for Future Generations*** was created by the Chiefs of Ontario. The issues outlined in this document came out of collective discussions with First Nations' leadership, namely, the Chiefs of the 133 First Nations in Ontario. Much of the included substance stems from resolutions passed by the Chiefs-in-Assembly at the annual All Ontario Chiefs Conferences or previously held Special Chiefs Assemblies. The issues identified in this document are not intended to reflect the full range of First Nation priorities. It is critical that the Ontario government work directly with First Nations leadership in Ontario to develop solutions that meet their individual and diverse needs.



## **PART 1**

# **A Renewed Relationship: First Nations Rights, Laws, and Self-determination**

*To create a new legacy*, the relationship between First Nations and the Crown must be guided by principles of self-determination, reciprocity, and mutual recognition of nationhood. Treaties are the bedrock that govern this relationship; they are both foundational and living documents. They guide how First Nations and the Crown can respectfully co-exist and mutually benefit on the land and in community. The spirit and intent of Treaties can help rebuild this historic relationship and usher in a new era of transformative change, Nation-to-Nation partnership, and growth.

Rebuilding the relationship between First Nations and the province requires true reconciliation, which begins with recognizing the sovereignty of First Nations and the inherent right to self-determine our economic, social, and cultural development. The path to reconciliation cannot be based in rights denial, but rather, must be rooted in the inherent rights and jurisdiction guaranteed by Treaty and section 35(1) of the **Constitution Act, 1982**.

An important element of this historic relationship is the honour of the Crown. There must be accountability towards First Nations, including the truthful acknowledgement of past and current wrongdoings on the part of colonial governments. Further, the honour of the Crown gives rise to a fiduciary duty, which requires that the Crown act in the best interest of First Nations. Beyond these standards, many First Nations expect and require that the Crown actively build mutually respectful long-term relationships that honour Treaty rights and processes, and respect the self-determination of First Nations peoples.

The spirit of this document echoes the conclusion of Justice Linden in the Ipperwash Inquiry Report: “Past approaches are simply no longer adequate.” We urge the Government of Ontario to stop relying on past approaches that have neither served First Nations nor the people of Ontario.

## 1.1 Consultation with First Nations is a *Duty* not a Checkbox

*Creating a new legacy* for Ontario's economy requires full participation, consent, and partnership with First Nations and Treaty rights-holders across the province. Ontario can no longer avoid its legal duty to consult with First Nations, delegating its obligations to municipalities, developers, and project proponents. The duty to consult springs from the ongoing process of true reconciliation, a process that has implications on the moral, political, and legal obligations of the Crown.

The *United Nations Declaration on the Rights of Indigenous Peoples* explicitly requires that governments secure First Nations free, prior, and informed consent before making legislative or administrative changes that affect them. Further, First Nations have the right to give or withhold consent to a project that may affect them or their territories, and have a right to negotiate the conditions under which the project will be designed, implemented, monitored, and evaluated. Consultation and engagement must reflect Nation-to-Nation relationships and respect First Nations inherent rights to land and self-governance. Consultation and engagement processes must uphold Treaties, Treaty processes, and Treaty relationships.

When consulting First Nations, the Government of Ontario must meet the standards, timelines, and processes *identified directly by First Nations*. Consultation requires a flexible and iterative process that is adaptive to the facts of each situation, unforeseen issues, and guidance from First Nations. In addition to a respectful process, the Crown must provide ongoing capacity resources and adequate time for First Nations to prepare for and engage in consultation. Further, the Crown must discontinue its reliance on pan-Indigenous approaches to engagement and instead focus on meeting community-specific needs.



*When consulting First Nations, the Government of Ontario must meet the standards, timelines, and processes identified directly by First Nations.*

The Government of Ontario must make clear and strong commitments at both the political and bureaucratic levels to honour and fully live up to its duty to consult and engage; to recognize First Nations as nations and not as mere stakeholders or service recipients; and to respect and uphold First Nations inherent rights and jurisdiction.



First Nations Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Provide ongoing and sustainable capacity resources for First Nations to participate in consultation processes and to develop their own consultation protocols.
- ◆ Ensure all provincial ministries are abiding by First Nations consultation protocols and processes, including any obligations that flow through Treaty. This includes reaching out directly to First Nations to learn about Treaties, laws, languages, and protocols that affect consultation and engagement processes.
- ◆ Cease the practice of using Ministerial Zoning Orders (MZOs) to circumvent the duty to consult and undermine First Nations inherent and Treaty-protected rights.



## 1.2 Reestablishing First Nations Laws and Legal Orders

First Nations peoples in Ontario have long maintained their own legal systems and managed their own lands, territories, and resources; however, laws and legal systems hold very little weight unless they can be practiced. Resolving this issue will require immediate assistance and political will from the provincial government. In some cases, Ontario courts have adopted First Nations laws into legal analysis. First Nations need ongoing support and commitment from the Crown to continue this work and ensure they can reliably enforce their laws on their territories.

Developing the collective capacity to implement First Nations legal systems is integral to re-establishing healthy societies and serves to promote good governance, community safety, and justice. Although First Nations laws exist, there are gaps where law has been distorted or lost over time. In other words, the simple recognition of First Nations laws is insufficient as many First Nations do not have fully operational legal orders, institutions, and prosecutorial mechanisms. A process of thoughtful rebuilding is required. First Nations legal knowledge is drawn from a wide range of sources, including oral histories, languages, ceremonies, and traditional teachings; however, many of those sources are under threat due to ongoing colonization. Funding for research, institution-building, and law-making processes are some of the immediate needs identified by First Nations in Ontario.

To *create a new legacy*, the Government of Ontario must recognize First Nations legal systems and their benefits, not only First Nations people but all Ontarians. To promote the rule of law and secure community safety, First Nations must have their laws enforced and upheld.

First Nations Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Commit to work with First Nations to resume the enforcement and prosecution of First Nations laws and by-laws.
- ◆ Provide First Nations with ongoing and sustainable financial and capacity resources to support the development of First Nations legal systems, orders, and institutions.
- ◆ Provide First Nations with ongoing financial and capacity resources to support the enforcement and prosecution of their laws and by-laws.

### 1.3 Building a Renewed Relationship with First Nations

First Nations do not have a level of political access befitting the Treaty relationship and their status as sovereign nations. There is little consistency within and between provincial ministries, and often, First Nation Chiefs are “bounced around” from department to department in search of answers. In order to create a stronger Ontario and **create a new legacy**, the Government of Ontario must recognize its responsibility to improve and maintain relations directly with all First Nations communities. First Nation peoples are not just stakeholders. They are sovereign nations entitled to a level of respect commensurate with the international relationship outlined in Treaty.

*To promote the rule of law and community safety, First Nations must have their laws upheld and enforced.*



The Ministry of Northern Development, Mines, Natural Resources, and Forestry must be separated from the Ministry of Indigenous Affairs Ontario. These two ministries often have conflicting mandates and objectives that continue to undermine relationship-building processes. First Nations people feel the provincial Crown cannot fairly represent First Nations interests while also advancing the interests of mining companies that seek to operate within their traditional territories. The Ministry of Indigenous Affairs needs a stronger, clearer mandate in order to act in the best interest of First Nations peoples in Ontario.

First Nations Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Work with First Nations and First Nation organizations to improve communication and increase capacity to address issues of mutual interest.
- ◆ Ensure First Nation leadership are provided the political access befitting a Nation-to-Nation relationship and the international status of Treaties.
- ◆ Provide ongoing capacity funding for First Nations to increase inter-First Nation dialogue, engage in collective action, and build relationships.
- ◆ Ensure funding provided to First Nations and First Nation organizations is flexible and can be carried over to the following fiscal year if necessary.
- ◆ Commit to engage in bilateral dialogue with First Nations on concerns of taxation policy, including tax exemption, tax collection, and the role of Treaties.

- ◆ Commit to ensuring the Minister of Indigenous Affairs Ontario (IAO) is not responsible for more than one ministry. IAO’s mandate should include supporting Crown Treaty obligations; working with First Nations communities to address their concerns; and facilitating engagement between First Nations and other ministries. IAO must do its part to be a reliable point of contact for First Nations and relay information in a timely and efficient manner.

## 1.4 Re-Affirming First Nations as the Original Peoples

First Nations in Ontario stand in respectful solidarity with other Indigenous communities; however, the Government of Ontario must understand that recognizing new Aboriginal rights cannot undermine or compromise existing Aboriginal and Treaty Rights that are constitutionally protected. In other words, the recognition of one Indigenous group’s rights cannot disrupt and adversely impact the rights of another Indigenous group.

First Nations peoples are indisputably recognized as the Original Peoples of Turtle Island, holding both inherent rights and the rights protected under section 35 of the **Constitution Act, 1982**. These rights exist separately and distinctively from other Indigenous groups, including Métis peoples. As a matter of historical fact, the existence of Métis peoples arose after contact between First Nations and European settlers. First Nations peoples have lived on these lands since time immemorial, thousands of years before the arrival of the colonizers.



*The recognition of one Indigenous group’s rights cannot disrupt and adversely impact the rights of another Indigenous group.*

In recent years, Ontario has taken a number of unprecedented steps toward negotiating and recognizing the rights of Métis communities within First Nations territories without consulting First Nations. The Government of Ontario must cease this practice and honour its legal obligations to First Nations, including Treaty obligations. This means that the government cannot water-down, redirect, or “share” First Nations rights, lands, or territories with other groups, or continue to unlawfully act as the gatekeeper of Aboriginal and Treaty rights.

First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Rescind the recognition of asserted Métis rights that infringe upon First Nations inherent and Treaty rights.
- ◆ Cease the negotiation of asserted Métis rights that infringe upon First Nations inherent and Treaty rights.
- ◆ Ensure that First Nations Leadership are present for all discussions between the Government of Ontario and any other groups, including the Métis Nation of Ontario, that have implications for First Nations inherent rights, Treaty rights, and traditional territories.



## 1.5 Nation-Building Requires Data Sovereignty

First Nation Data Sovereignty (First Nation DS) is a fundamental component in the path towards reconciliation and self-determination as it raises awareness about assumptions of ownership, representation, and control of First Nations data and knowledge. The **OCAP®** (Ownership, Control, Access, and Possession) tool has been established to further prioritize First Nations data sovereignty in data collection and research. In the wake of the pandemic and the increase in land development, data related to individuals, collectives, cultures, lands, and resources is integral to First Nations nation-building, governance, and community wellness.

Data sovereignty means working with the Crown to *create a new legacy* where First Nations can exercise their right to own, control, access, and possess their own data.

First Nations Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Ensure First Nations data, especially in the areas of health, land and resources, education, child welfare, and social services is made accessible to First Nations and meets the OCAP® principles.
- ◆ Support First Nations data governance initiatives and seek to establish data governance agreements and data sharing agreements that enable First Nations to access their own data.
- ◆ Ensure the *United Nations Declaration on Rights of Indigenous Peoples* is respected and First Nations have a right to establish their own data governance entities.
- ◆ Ensure all Ministries working with First Nations and First Nation organizations adhere to OCAP® principles in the collection, use, and access of First Nations data.

## **PART 2**

# **Sustainable Development and Environmental Protection**

Sustainable economic development is a critical aspect of First Nations self-determination. First Nations must be provided the tools and resources necessary to build safe and healthy communities, establish resilient economies, and address socioeconomic barriers stemming from centuries of colonialism and systemic underfunding. With that said, we as First Nations are the original stewards of the lands and waters across Turtle Island. We have an inherent responsibility to protect our territories from the excesses of industry and private interests. The often-competing priorities of resource development and environmental protection will need to be reconciled if Ontario wants to build a strong, sustainable economy for future generations.

The Government of Ontario must commit to moving beyond limited engagement processes that undermine First Nations jurisdiction to true partnerships based on free, prior, and informed consent. First Nations can no longer be relegated to providing input into environmental governance structures and resource management systems that exclude them or undermine their Treaty-protected rights. First Nations must be directly involved in decision-making on critical economic development initiatives such as green energy projects, mining, forestry, agriculture, and more.

Lack of capacity has been an ongoing issue for First Nations seeking to participate in economic development initiatives, as well as environmental governance, protection, restoration, and conservation. Many of these processes and initiatives are highly technical and require a significant level of expertise. With limited financial and human resources, many First Nations and First Nation organizations are unable to participate on an equal footing with their government or industry counterparts. Further, unstable funding in the form of yearly contribution agreements or project-based arrangements undermines the ability for First Nations to carry out their work effectively.

To ***create a new legacy***, the Government of Ontario must uphold the Nation-to-Nation relationship and work together with First Nations to build a more inclusive and sustainable economy that benefits everyone.

## 2.1 Empowering First Nations in Environmental Protection and Territorial Management

As the original stewards of this land, First Nations have an inherent responsibility to preserve and protect the water, not as a commodity or an economic driver, but as a living, life-providing entity. Agreements and decision-making processes related to water governance, restoration, and conservation must recognize the distinctive relationship First Nations have with water and its cultural, spiritual, and ceremonial importance. First Nations have exercised authority and jurisdiction over their waters since time immemorial and have never ceded or surrendered their rights and title to water, including the Great Lakes and its tributaries. As a result, the Crown's treaty obligations and responsibilities must be reflected in processes and agreements related to water governance, including the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health.

Climate change is disproportionately affecting the health and well-being of First Nations peoples in Ontario and has increased food insecurity for many already vulnerable communities. Further, changes to ecosystems across the province has limited access to traditional food sources and medicines that were once found in abundance. The Government of Ontario must ensure that First Nations are afforded the resources and political access necessary to become active participants in decision-making processes related to climate change mitigation, adaptation, and monitoring.

Flood, erosion, and other climate change impacts are creating emergency situations that affect both water quality and quantity across the Great Lakes watershed. Funding is needed for shoreline resiliency and increased coordination between Ontario and First Nations is needed to develop adaptive solutions. Further, the Government of Ontario must commit to increased investments in Great Lakes programming to address harmful chemicals, nutrient loading, and toxic algal blooms, particularly in Lake Erie. The scale and scope of these

### DID YOU KNOW?

*Ecoregion 7E is the most heavily urbanized and industrialized area in Ontario. Only **14%** of this ecoregion remains in natural cover and only **1%** is within conserved and protected areas.*

*This region is home to approximately **one third** of Canada's species at risk and a further **500 species** of conservation concern.*



efforts must be increased, as well as funding for First Nations to support the implementation of the Canada-Ontario Lake Erie Action Plan. First Nations have a right and responsibility to participate as partners in these efforts.

*First Nations have an inherent responsibility to preserve and protect the water, not as a commodity or an economic driver, but as a living, life-providing entity.*



First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Provide funding and resources to increase capacity and, where necessary, establish First Nations governance structures related to water and ecosystem health.
- ◆ Provide funding and resources necessary for First Nations to participate fully in all policy, legislative, and decision-making processes related to ecosystem health and climate change.
- ◆ Provide funding and resources necessary for First Nations and First Nation organizations to participate fully in land use planning, environmental assessment, and biodiversity conservation initiatives across their territories.
- ◆ Provide comprehensive funding for First Nations to develop and implement climate change mitigation, adaptation, and monitoring initiatives.



## 2.2 Building a Strong Economy for First Nations

First Nations communities and businesses represent an important and growing sector of Ontario's economy; however, the tools and resources necessary for First Nations to build their internal economic development capacity and make use of investment opportunities are often lacking. Significant investments are needed for First Nations to capitalize on existing opportunities for employment, entrepreneurship, joint venture partnerships, and resource revenue sharing agreements.

Sufficient access to capital is frequently cited as a challenge for small and medium-sized First Nation enterprises across Canada. First Nations businesses have greater difficulty accessing capital and, as a result, typically have a greater reliance on government financing in their start-up phase. This reliance on government transfer agreements leads to challenges in predictability beyond the fixed funding period. This unpredictability impedes the ability of First Nations to build sustainable internal capacity and limits opportunities to secure private sector loans.

By making financial supports available to First Nations businesses, many of the barriers to market for First Nations can be addressed. Supporting small and medium-sized businesses will accelerate job creation and business growth among First Nations, providing much-needed economic stimulus in the post-COVID era.



*First Nations communities and businesses represent an important and growing sector of Ontario's economy.*

Resource and land development has been identified as a priority area for economic development by First Nations in Ontario. Engagement and consultation based on the principle of Free, Prior, and Informed Consent and in recognition of First Nations Treaty and inherent rights is an essential aspect for land and resource decision-making. First Nations require a mutually beneficial and respectful partnership with the Government of Ontario to build and strengthen their economies.

To *create a new legacy*, the Government of Ontario must commit to working in partnership with First Nations to develop their capacity to implement long-term joint planning for community economic development, land use, and First Nations entrepreneurship.

*Affordable and attainable access to capital is critical for developing and growing First Nations businesses in Ontario.*



First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Work with First Nations to limit legislative and policy barriers to economic prosperity and support the ongoing work of rebuilding First Nations economies.
- ◆ Provide enhanced access to capital for First Nations businesses and entrepreneurs.
- ◆ Provide funding and resources for First Nations economic capacity development and training in skilled labour and other specialized training programs.
- ◆ Commit to supply chain mapping and engage with First Nations leadership on Supply Ontario.
- ◆ Work with First Nations leadership and businesses to improve procurement readiness and to establish a 5% provincial First Nations spend commitment.
- ◆ Support First Nations businesses to increase online presence and enhance e-commerce.
- ◆ Ensure 100% high-speed internet coverage for all First Nations communities in Ontario.

#### **DID YOU KNOW?**

*The 2020 Ontario Aboriginal Business Survey showed that **32%** of First Nations businesses struggle with access to financing.*

*As a result, **56%** rely on personal savings for start-up costs and **64%** use savings for ongoing financing.*

## 2.3 Access to Affordable and Sustainable Housing and Related Infrastructure

The on-reserve housing crisis in Ontario has intensified since the beginning of the COVID-19 pandemic, necessitating immediate funding to address critical First Nations housing priorities. In addition to funding, policy and structural changes are required to ensure First Nations are able to meet their housing needs. This includes ensuring First Nations Treaty and inherent rights are respected, as well as addressing dated government policies and burdensome tax regimes that continue to be a major impediment to development.

As per a recently conducted [survey by the Assembly of First Nations and Ontario First Nations Technical Services Corporation](#), the cost to address the current housing and related infrastructure needs for First Nations in Ontario is approximately \$4.4 billion. An estimated 8,645 additional housing units are needed to fill the current housing backlog and 7,659 will be needed over the next five years. Further, an estimated 9536 housing lots need to be serviced with hydro, waterlines, and sewage. Despite these challenges, expanding on-reserve housing stock presents significant economic development opportunities for First Nations, including in construction, manufacturing, and service delivery. Further, if coupled with training and employment programs, ongoing investment in housing can be an important driver for expanding First Nations human capital and developing a highly skilled workforce.

### DID YOU KNOW?

**1 in every 5** single-detached homes in First Nations communities require replacement.

Further, **33.1%** of individual housing units need minor repairs and **33.92%** need major repairs.



*Systemic lack of funding continues to prevent First Nations from accessing safe and affordable housing.*

Current housing programs do not meet the increasing demand for new housing units brought on by population growth, overcrowding, and deterioration of existing housing. Systemic lack of funding continues to prevent First Nations from accessing safe and affordable housing, which has had a negative effect on the health, education, and overall social conditions of First

Nations individuals and communities. The need to address insecure and inequitable housing in Indigenous communities is a key finding of the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG), and is reflected in several of its Calls for Justice, as well as the Truth and Reconciliation Commission Calls for Action.

First Nation Leadership in Ontario **calls** for the next Government of Ontario to:

- ◆ Provide funding for the construction of long-term sustainable housing and the provision of repairs for existing housing to meet the long-term housing needs of First Nations.
- ◆ Ensure that First Nations peoples have access to housing that is safe, appropriate to geographic and cultural needs, and available wherever they reside, whether in urban, rural, or remote First Nation communities.
- ◆ Support the establishment and long-term sustainable funding of First Nations-led low-barrier shelters, safe spaces, transition homes, second-stage housing, and services for First Nations peoples who are homeless, near homeless, dealing with food insecurity, or who are fleeing violence or have been subjected to sexualized violence and exploitation.
- ◆ Ensure shelters, transitional housing, second-stage housing, and housing services are appropriate to cultural needs and available wherever First Nations people reside, including off-reserve First Nation specific housing co-operatives and low-income housing.



## **PART 3**

# **Health and Emergency Preparedness**

Despite the resilience and hard work of health practitioners in First Nations communities across the province, it is well recognized that there are significant health disparities that exist between First Nations and non-First Nations populations in Ontario. For many, the long-term effects of dispossession, relocation, and harm inflicted at residential schools and other assimilatory processes are key drivers for these health disparities. High rates of chronic health conditions do not occur in isolation. Health inequalities are shaped by and rooted in the inseparable relationship between health and generations of colonization and chronic underfunding. This has resulted in a legacy of substandard living conditions, inadequate access to health services, and dislocation from community, language, land, and culture.

Health is a holistic state of well-being and includes full integration of physical, emotional, mental, and spiritual health. The right to health is also a right to wellness. It is linked to other fundamental human rights such as access to clean water and adequate infrastructure, as well as the right to shelter and food security. These basic services are key to the long-term health and well-being of First Nations communities.

*Creating a new legacy* for future generations requires addressing inequalities in access to healthcare across all sectors, including public health, mental health, and community care. The Government of Ontario must work collaboratively with First Nations to build a culturally competent healthcare system that is responsive to social determinants of health.

## **3.1 A New Approach to Public Health**

First Nations children, youth, and adults more frequently live with chronic health conditions and **studies have shown** that access to health services remains a barrier to health and wellness for many. The difficulties of accessing healthcare are exacerbated by challenges with recruitment and retention of health professionals in First Nations communities and an overall need to increase human resources in health. The rationale for creating a new approach to public health is to examine ways that services and information provided to, and within, First Nations can be improved.

The Government of Ontario must work with First Nations to create a framework to better address service gaps and allow for better coordination in services provided. Further, failings within healthcare systems demonstrate a willful ignorance of alternative First Nations healthcare and healing models that, by incorporating culture and Indigenous ways of knowing, can address and improve physical, mental, emotional, and spiritual health. Any new health framework must recognize the need of individual First Nations to exert greater control over their own programs and services.

First Nations peoples have a right to be actively involved in developing healthcare programming that affects them and their communities. To **create a new legacy**, the province must cultivate trust and work collaboratively with communities to establish new approaches in public health delivery.

First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Develop legislative and regulatory changes within the **Health Protection and Promotion Act** to address accountability of Public Health Units as per the First Nations community needs.
- ◆ Commit to facilitating conversations between First Nations communities and their nearest public health units to build trust and develop culturally competent healthcare systems.
- ◆ Implement Public Health service models and tools that enhance public health service delivery for First Nation communities.
- ◆ Develop a technical trilateral approach (First Nation, provincial, and federal) to address the unique community wellness and public health needs of First Nations.
- ◆ Provide funding for evaluations of the COVID-19 pandemic operations in First Nations communities and ensure they have the tools to revise and develop robust pandemic preparedness and emergency management plans.
- ◆ Provide funding and resources to First Nation technical institutes and mainstream post-secondary education institutions to increase First Nations health human resources, including doctors, nurses, and other technical support staff.

## 3.2 Improving Mental Health and Addictions Services for First Nations

First Nations have long been on the frontlines of the mental health and addictions crisis in Ontario. Respecting the knowledge and agency of First Nations in articulating and addressing their own needs in the areas of physical, mental, emotional, and spiritual health is an essential step in moving forward. Improving mental health services and delivery mechanisms can contribute in concrete ways to promoting community and individual health, safety, and healing, especially when it involves embracing effective self-determined solutions.

### DID YOU KNOW?

*The Opioid Use, Related Harms, and Access to Treat among First Nations in Ontario, 2013-2019 report showed how First Nations face significantly higher hospitalizations for opioid-related poisoning from 2009 to 2019.*

The opioid overdose crisis has disproportionately affected First Nations individuals and communities. Chiefs of Ontario, in collaboration with the Ontario Drug Policy Research Network, released two reports entitled “[Opioid Use, Related Harms, and Access to Treatment among First Nations in Ontario](#)” and “[Impacts of the COVID-19 pandemic on opioid-related poisoning among First Nations in Ontario](#).” These reports highlight the increase in opioid-related poisonings during the COVID-19 pandemic and the urgent need to address the opioid crisis affecting First Nations in Ontario.

To *create a new legacy*, the Government of Ontario must commit to provide sustainable funding and effective change within mental health services and delivery programs, and address the distinct mental health and addictions needs of First Nations peoples are met. This includes providing preventative, accessible, holistic, wraparound services, and ensuring First Nations receive the same high-quality care, regardless of where they reside.

First Nations leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Provide flexible, equitable, and sustainable funding for First Nations mental health and addictions programs and services.
- ◆ Provide capacity funding to support the planning and development of First Nations community-led mental health and addictions program and service delivery (i.e. culturally appropriate land-based approaches etc.).



### 3.3 Improving Equitable Access to Long-Term Care and Community Care Services

For decades, the Government of Ontario has consistently underfunded on-reserve access to long-term care. While noting previous [commitments in 2018 to increase capacity and deliver culturally appropriate care](#), more needs to be done to meet the needs of First Nations in Ontario.

Access to long-term and home care on-reserve is essential for the health and well-being of First Nations people and communities. It is imperative that First Nations are provided adequate funding and resources to reliably respond to their community members' complex needs through culturally appropriate home care, community support services, and long-term facility-based care.

To *create a new legacy*, First Nations and the Government of Ontario must work in partnership to establish culturally appropriate programming and service delivery; provide adequate funding to address community needs; and ensure Elders, seniors, and their families have access to care within their community.

First Nations Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Create specific allocations for First Nations beds and licenses.
- ◆ Work with First Nations to expedite the establishment of more First Nations long-term care homes and limit policy and legislative barriers to do so.
- ◆ Establish a role for First Nations to monitor:
  - ◆ Implementation of the Modernizing Home and Community Care initiative;
  - ◆ Implementation of the recently passed *Fixing Long-Term Care Act, 2021*;
  - ◆ Provincial commitments on new Long-Term Care, and Home and Community Care initiatives.

### 3.4 Pandemic and All Hazards Emergency Response

The COVID-19 pandemic is by no means over for many communities and the lack of human and health resources is an ever-present reality. The Government of Ontario, in concert with the Government of Canada, must continue its efforts to ensure the health, safety, and security of our people.

As First Nations communities begin to recover from the widespread effects of the COVID-19 pandemic, there is a critical need to take stock of how our communities responded to this emergency – both in terms of successes and failures. This includes providing significant funding and human resources at the community level to compile research and information, revise pandemic response plans, and outline a chronology of how the pandemic progressed at the local level.



*The Government of Ontario, in concert with the Government of Canada, must continue its efforts to ensure the health, safety, and security of our people.*

In recent years, First Nations in Ontario have been disproportionately affected by natural disasters and emergency evacuations. An increase in floods and forest fires in Ontario have highlighted the longstanding inequalities in First Nations emergency response.

Government assistance is often too late or the support provided is inadequate. Natural disasters, long-term evacuation, extended displacement, and lack of clean drinking water have had prolonged effects on First Nations people and communities.

To **create a new legacy**, the next provincial government must commit to providing funding and supports for First Nations-specific emergency preparedness and response plans based on the needs of each individual community. This includes immediate investments in infrastructure, equipment, and supplies to respond fully and effectively to emergencies such as floods, forest fires, and future pandemics.

First Nations Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Support First Nations pandemic response and recovery, including the evaluation of gaps and lessons learned.
- ◆ Support and participate in trilateral discussions with First Nations and the Government of Canada regarding the ongoing COVID-19 pandemic to address concerns, initiatives, and other opportunities.
- ◆ Ensure culturally safe support for First Nations evacuees, including mental health and community safety services.
- ◆ Provide funding and support for emergency management in First Nations communities, including emergency mitigation, preparedness, response, and capacity building.

#### **DID YOU KNOW?**

*First Nations are **18 times** more likely to be evacuated due to emergencies than non-First Nations.*



## **PART 4**

# **Community Well-being**

The role of culture in ensuring the health, safety, and well-being of families and communities cannot be understated. Practicing ceremony and using traditional medicines have always been important ways of fostering relationships, healing from past harms, and building strong, resilient communities. Loss of access to our land, assimilatory colonial policies, and violence directed toward our people have all contributed to the marginalization of our value systems and worldviews, fundamentally changing the way we relate to family and community.

For many First Nations peoples, the violation of cultural rights often begin with reference to the Indian Residential School system, Sixties Scoop, and the current child welfare system. Loss of culture, language, and family is accompanied by a loss of traditional ways of knowing that have been integral to the well-being of First Nations since time immemorial. Rebuilding those ways of knowing requires emphasis on self-determined solutions in the education sector and a land-based curriculum designed by and for First Nations peoples.

The Government of Ontario must recognize the systemic oppression inherent in today's government institutions and understand that any restorative process will require a truly holistic approach to community well-being. To *create a new legacy* for future generations, there must be strong commitments to support First Nations-led programming that respect our ways of knowing and self-determination, including in community safety, education, and social services.

## **4.1 Creating a New Legacy for First Nations Women, Youth, and 2SLGBTQIA+ People**

In May 2021, Ontario launched [Pathways to Safety: Ontario's Strategy in Response to the Final Report into Missing and Murdered Indigenous Women and Girls](#). Included in this report are specific commitments made in response to the [Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#).

While First Nations in Ontario welcomed this announcement, eradicating gender-based violence and discrimination will require cross-jurisdictional and community-based supports and capacity building. We must collectively focus on First Nations-led approaches and spaces where First Nations women, youth, and 2SLGBTQQIA+ people are free from violence and gender-based discrimination.

First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Commit to comprehensive funding for the implementation of the Ontario First Nations Gender-Based Violence Action Plan. This action plan details many important programs and initiatives to reduce harm and restore well-being at a community level. These initiatives would include, but are not limited to:
  - ◆ Anti-human trafficking outreach, education, and prevention;
  - ◆ 2SLGBTQQIA+ gender diversity awareness programs;
  - ◆ Enhanced victim advocacy support services and trauma-informed services;
  - ◆ Grief and loss supports and healing for MMIWG families and survivors;
  - ◆ Culture-based programming and land-based programs;
  - ◆ Men’s healing programs, violence prevention awareness, and long-term wellness;
  - ◆ Youth life skills, cultural programming and access to Elders, knowledge keepers, and traditional healing; and
  - ◆ Enhanced cultural safety training for policing, healthcare, and justice systems.
- ◆ Provide resources and ongoing funding for a First Nations-IAO Task Group to support the ongoing implementation and evaluation of the Gender-Based Violence Action Plan.
- ◆ Provide support for the development of First Nations women’s leadership skills.

*To create a new legacy for future generations, there must be strong commitments to support First Nation-led programming that respect our ways of knowing and self-determination.*



## 4.2 Revitalizing First Nations Education through Traditional Land-Based Learning

Since time immemorial, First Nations have had a deep connection to the lands and territories we call home. Curriculums that emphasizes the relationship to land and language have far-reaching effects for community well-being and are a means to rekindle the connection to our distinct cultures, identities, and societies. Land-based learning and language revitalization can both improve community relationships and act as a restorative exercise in community healing and nation building.

To *create a new legacy*, First Nations peoples must be afforded the supports and funding necessary to develop education systems rooted in our ways of knowing and cultural identity. This is our right as First Nations peoples.

First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Increase access and appropriate supports (services, programs, grants, infrastructure, funding, etc.) for First Nations learners, families, communities and organizations to meet the needs of First Nations learners along the full lifelong learning continuum.
- ◆ Provide funding to support the education, recruitment and retention of First Nations language teachers and instructors in all educational settings.
- ◆ Provide First Nations language immersion programs in daycare and K-12 schools.
- ◆ Provide funding for school boards and schools to work with First Nations communities and organizations to develop cultural and land-based educational opportunities for First Nations learners and all students.
- ◆ Work in collaboration with First Nations communities and organizations to improve educational outcomes for First Nations learners (early years, K-12, adult education, training, and post-secondary).

### DID YOU KNOW?

*In 2018, the graduation rate for First Nations students in secondary school was just **60%**, which is **27% lower** than the provincial graduation rate.*

### 4.3 Improving the Well-being of First Nations Children and Families

Recent developments in provincial early childhood education funding and the Ontario Disability Support Program signal a shift for First Nations families in Ontario. To *create a new legacy*, First Nations communities need ongoing commitments from the provincial government to ensure new child welfare, early years, childcare, and income assistance programs are implemented in a substantively equitable manner.

First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Increase capacity of First Nations to develop and implement laws related to child welfare.
- ◆ Increase funding for social assistance on-reserve for Ontario Works and the Ontario Disability Support Program.
- ◆ Follow through with the recommendations from the Chiefs of Ontario 2022 Early Learning and Child Care Asset Mapping Study.
- ◆ Work with First Nations leadership and the Government of Canada to reform the 1965 Indian Welfare Agreement.
- ◆ Work to reduce First Nations families and communities in poverty by 35% by ensuring consistent social services supports and increased income assistance.
- ◆ Prioritize community-based service delivery of child and family programming, including prevention services, childcare services, early learning programs, income assistance (Ontario Works and Ontario Disability Support Program), employment services, and mental health and addiction services.
- ◆ Ensure First Nations leadership and rights-holders are contributing and participating in the development of policy for Social Assistance Reform, Indian Welfare Agreement Reform, and Child and Family Well-Being services and programs.

## **PART 5**

# **Indian Residential School Investigations**

First Nations identity, as supported through language, storytelling, and ceremony, was deeply scarred as a result of the residential school system. This was part of a broader process of isolating and assimilating First Nations peoples, restricting access to our lands, and subverting our sense of nationhood. Recent discoveries, including the 215 innocent children buried in mass graves on the grounds of the former Kamloops Indian Residential School, have triggered past trauma and opened old wounds for many of our people.

### **DID YOU KNOW?**

*About **150,000 Indigenous children** were sent to the schools, often forcibly, where they were barred from speaking their languages and practicing their traditions.*

For our communities to heal and move forward, the Government of Ontario must commit to an immediate transformative action plan in collaboration with First Nations in Ontario that supports a renewed relationship, reflects the **Truth and Reconciliation Commission's Calls to Action**, and meets the needs of Survivors, families, and communities. This includes providing additional support for First Nations-led, survivor-centric, and culturally informed initiatives to help First Nations communities to heal from the ongoing impacts of Indian Residential Schools.



*For our communities to heal and move forward, the Government of Ontario must commit to an immediate transformative action plan.*



First Nation Leadership in Ontario **call** for the next Government of Ontario to:

- ◆ Ensure consistent and ongoing funding, information, and support for current and future Indian Residential School site investigations.
- ◆ Provide funding and support for community-level research that is in line with the OCAP® principles to investigate and collect information on residential school burials.
- ◆ Provide funding and improve access to culturally appropriate mental health services to support healing from intergenerational trauma and ensure the needs of Survivors are met.
- ◆ Provide ongoing needs-based funding to ensure culturally appropriate repatriation of remains.





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