

**L A T E D R A F T R E S O L U T I O N # 0 9 / 2 0 1 9**

**AFN Special Chiefs Assembly, December 3 - 5, 2019, Ottawa, ON**

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**TITLE:**                    **Calling on Chief Paul-Emilie Ottawa to withdraw his legal challenge to the McLean Federal Indian Day Schools Settlement**

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**SUBJECT:**                **Indian Day Schools**

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**MOVED BY:**            **Shirley Allarie, Proxy, Tataskweyak Cree Nation, MB**

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**SECONDED BY:**        **Margaret Swan, Proxy, Pinaymootang First Nation, MB**

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**WHEREAS:**

- A. The tens of thousands of Indigenous students that attended Federal Indian Day schools suffered the same type of physical, sexual, and psychological abuse and were subjected to the same policies of assimilation as Indian Residential School Survivors.
- B. Indian Day School survivors were excluded from the Indian Residential Schools Settlement.
- C. The Chiefs-in-Assembly passed by 7 consensus Resolutions no. 66/2016 and no. 82/2018, affirming their support for the Plaintiffs – Garry McLean, Regional Chief Roger Augustine, Mariette Buckshot, Claudette Commanda, Angel Sampson, and Margaret Swan – and calling on Canada to achieve a just and meaningful resolution for the survivors and their families.
- D. In March 2019, the Plaintiffs reached a settlement with Canada to resolve the McLean Federal Indian Day Schools Class Action,
- E. Garry McLean passed away in February 2019 and did not live to see the settlement.
- F. The settlement will provide compensation to over 120,000 survivors, as well as much needed funding for healing, wellness, language, and culture programs.
- G. The settlement was approved by the Federal Court in August 2019.
- H. The compensation process was scheduled to open on December 19, 2019.
- I. The only person to bring a legal challenge against this settlement is Chief Paul-Emile Ottawa from Conseil des Atikamekw de Manawan.
- J. Many Survivors are sick or elderly, with approximately 150 passing away each month'
- K. Survivors cannot apply for compensation until Chief Ottawa's challenge against the settlement is resolved.

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

- 1. Respectfully request that Chief Ottawa immediately withdraw his challenge to the settlement, so that survivors and their families may see justice and begin their healing journey.