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File No.: 14453

August 24, 2026

DELIVERED VIA EMAIL (Registry.Office@chrt-tcdp.gc.ca)

Ms. Amanda Wilkes
Senior Registry Officer
Canadian Human Rights Tribunal
240 Sparks Street, 6th Floor West
Ottawa, ON K1A 1J4

Dear Ms. Wilkes:

Re: FNCFCSC and AFN v. AGC - T1340/7008 – Interim Solution for Taykwa Tagamou Nation and Chippewas of Georgina Island

We ask that this letter be directed to the attention of the Panel Chair, Member Marchildon.

On behalf of Taykwa Tagamou Nation (“**TTN**”) and the Chippewas of Georgina Island (“**GIFN**”), we write to provide this update to the Tribunal regarding the implementation of its Letter-decision on the Joint Motion on the Ontario Final Agreement with reasons to follow, dated March 30, 2026 (the “**Letter Decision**”).

In the Letter Decision, the Tribunal ordered that the Ontario Final Agreement (the “**OFA**”) shall not apply to TTN and GIFN. While Canada works with TTN and GIFN on a long-term solution that addresses their specific circumstances, the Tribunal recognized the need for an interim solution. In particular, in the absence of a coordination agreement, or other long-term solution, the Tribunal ordered Canada to consult with TTN and GIFN “within 90 days of the OFA’s effective date to establish and implement an interim solution for [GIFN and TTN] in relation to the FNCFS Federal Program, identify [TTN’s and GIFN’s] specific and distinct needs under that Program, and apply substantive equality as defined by this Tribunal”. With respect to GIFN, the Tribunal also added a clause that the consultation should “ensure the elimination of accessibility barriers to the FNCFS Program”.

For greater clarity, the Tribunal specified: “The interim solution shall be no less generous than the Tribunal’s interim orders and shall respect the spirit, findings, and reasons of those orders, including those set out in the letter decision and the ruling concerning the OFA.” The interim solution shall be in effect until a long-term solution or coordination agreement is implemented.

As the end of the 90 day period is approaching, TTN and GIFN wish to provide the Tribunal with an update regarding the status and developments of these aspects of its order in the Letter Decision.

To date, the parties have not entered into any interim agreements, long-term agreements, or coordination agreements.

There were some discussions between Canada and GIFN and TTN over the summer, including meetings held on July 10, 2026, during which Canada presented their proposal for interim funding. TTN and GIFN responded to this proposal on July 23, 2026 and July 24, 2026, respectively.

On August 19, 2026, Canada sent letters to the Chiefs of GIFN and TTN. Copies of these letters are attached as **Appendix A**. In these letters, Canada states that it has given consideration to the First Nations' proposals, but that "ISC intends to implement the interim funding approach" that it presented on July 10, 2026. We do not purport to include the full record of communications between the parties here, but share Canada's correspondence for context.

Regarding the potential for a long-term solution, and the status of TTN's coordination agreement with Canada, TTN received a letter from ISC regarding the funding approach for coordination agreements under *An Act respecting First Nations, Inuit, and Métis children, youth, and families* on August 6, 2026. A copy of this letter is attached as **Appendix B**. In this letter, ISC's representative states that it has updated its funding approach for coordination agreements and that, as a result of these updates, "funding for on-reserve child and family services will align with reforms of the First Nations Child and Family Services Program", which in Ontario aligns with the funding allocated under the OFA. The letter further states that this updated funding approach "will guide fiscal discussions as negotiations toward your coordination agreement continue".

GIFN and TTN await the Tribunal's full reasons for decision. Following the release of those reasons, we anticipate requesting a case conference to address the issue of whether Canada's unilaterally-imposed interim solution complies with this Tribunal's directions and orders.

Yours truly,



Justin Safayeni

Appendix A



Indigenous Services Canada
Assistant Deputy Minister

Services aux Autochtones Canada
Sous-ministre adjoint

August 19, 2026

Chief Bruce Archibald
Taykwa Tagamou Nation
1 Takwata Drive
Cochrane, Ontario P0L 1C0

Via email: bruce@taywatagamou.com

Dear Chief Archibald,

Thank you for Taykwa Tagamou Nation's engagement with Indigenous Services Canada (ISC) regarding the development of an interim funding arrangement under the First Nations Child and Family Services Program. ISC appreciates the First Nation's participation in these consultations and the opportunity for dialogue during the discussions.

On July 10, 2026 ISC presented you with a proposed interim funding approach that is at least as generous as the Canadian Human Rights Tribunal's interim funding measures that were applicable in Ontario prior to the Tribunal's approval of the Ontario Final Agreement on March 30, 2026. ISC's proposed interim approach advances funding for First Nations Representative Services and Post-Majority Support Services using the Ontario Final Agreement methodology and providing access to actuals as a backstop, maintains prevention funding, remoteness, and housing funding based on existing allocation approaches, and provides access to capital funding through the existing actual claims process.

ISC has assessed Taykwa Tagamou Nation's response to ISC's proposal, including requests related to modifying the claims processing timelines as they apply to Taykwa Tagamou Nation, adjustment to prevention funding calculations, prevention staffing and salary enhancements, capital funding for the Arctic Acres biodome project, and future reimbursement of design costs associated with the proposed Child Wellbeing Building.

Following our consultative discussions and having given consideration to the Nation's submissions, ISC intends to implement the interim funding approach that was presented during consultations on July 10, 2026. The proposed approach fulfills the Tribunal's direction to establish an interim arrangement and provides funding that is at least as generous as the applicable interim funding measures contemplated by the Tribunal.

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As outlined in our proposal, with respect to First Nations Representative services and Post-Majority Support services, ISC will proceed with the proposed approach of advancing funding using the Ontario Final Agreement methodology while maintaining access to actual-cost reimbursement as a backstop. ISC already has service standards for the processing of claims dating back to 2018 when the Tribunal made its initial actual cost orders. The service standard is to provide a decision within 15 business days of receipt of a complete request. If additional information or supporting documentation is required during the review, the service standard clock will be paused while ISC awaits the requested information. The clock will resume once the requested information has been received and ISC has the information required to continue its assessment. ISC will continue to make best efforts to review eligible claims and process reimbursements as quickly as operationally feasible following receipt of complete documentation. The department expects that the proposed funding approach of advance allocations will reduce the burden of claims requiring processing, which may result in shorter processing timelines overall.

Regarding the request to recalculate 2026-27 prevention funding using an on-reserve population of 184, ISC confirms that Taykwa Tagamou Nation's total prevention allocation for 2026-27 is \$449,649, with \$367,715 (+ \$42,451 remoteness) of that amount for Taykwa Tagamou Nation and \$81,934 for Kunuwanimano Child & Family Services. ISC has verified that the Indian Registry System population count on September 2025 was 166. This funding approach was approved by the Tribunal in 2022 CHRT 8. Should updated population information be validated through established processes, adjustments will be reflected in future allocations (i.e. 2027-28).

With regard to the request for additional funding for a Prevention Manager, a Food Sovereignty Worker, and an increased salary for the Director of Social Services. Since 2022, as ordered by the Tribunal in 2022 CHRT 8 prevention funding has been provided through a per capita allocation approach that is intended to give First Nations flexibility to determine local priorities, staffing structures, and compensation decisions. As a result, ISC is not approving community-specific staffing and salary enhancements outside the existing funding methodology. However, Taykwa Tagamou Nation may determine how best to allocate available funding within the flexibility provided under the applicable funding approaches.

With respect to the Arctic Acres biodome proposal, ISC remains prepared to consider capital requests through the existing CHRT 41 capital process. At this time, the biodome proposal has not been assessed through that process and ISC does not have sufficient information to determine that it constitutes an eligible capital asset necessary for the delivery of First Nations Child and Family Services Program services.

ISC has also considered Taykwa Tagamou Nation's request that the department commit to reimbursing future design costs for the proposed Child Wellbeing Building. As discussed during consultations, the feasibility study identified significant water, wastewater, and electrical servicing requirements that must be addressed before the project can proceed. While we acknowledge Taykwa Tagamou Nation's intention to resolve the site servicing issues, the Tribunal's 2021 CHRT 41 order requires that capital projects be ready to proceed in order to be supported, e.g. that feasibility and design work is complete. As capital funding requests under 2021 CHRT 41 follow a phased approach, with approval required at each stage of the project life cycle, a design phase funding request would not be eligible until such time as feasibility stage work has been completed and approved. Given that ISC is currently unable to approve the feasibility stage of the project, at this time make ISC cannot make a commitment to reimburse future design costs. The project may be reconsidered as planning progresses and the necessary servicing requirements are resolved.

ISC remains committed to ongoing discussions with Taykwa Tagamou Nation regarding a coordination agreement under *An Act respecting First Nations, Inuit and Métis children, youth and families*. The interim funding arrangement under the First Nations Child and Family Services Program is intended as a temporary measure pending the conclusion of long-term program reform or implementation of a coordination agreement.

We value your leadership and partnership, and we remain committed to continuing to work collaboratively with your community to support children and families.

Yours sincerely,



Julien Castonguay
Assistant Deputy Minister of Children, Families, and Learning
Indigenous Services Canada



August 19, 2026

Chief Donna Big Canoe
Chippewas of Georgina Island First Nation
R.R.#2 Box N-13
Sutton West, Ontario L0E 1R0

Via email: donna.bigcanoe@georginaisland.com

Dear Chief Big Canoe,

Thank you for the Chippewas of Georgina Island First Nation's engagement with Indigenous Services Canada (ISC) regarding the development of an interim funding arrangement under the First Nations Child and Family Services Program. ISC appreciates the First Nation's participation throughout these consultations and the opportunity for dialogue during the discussions.

On July 10, 2026 ISC presented you with a proposed interim funding approach that is at least as generous as the Canadian Human Rights Tribunal's interim funding measures that were applicable in Ontario prior to the Tribunal's approval of the Ontario Final Agreement on March 30, 2026. ISC's proposed interim approach advances funding for First Nations Representative Services and Post-Majority Support Services using the Ontario Final Agreement methodology and providing access to actuals as a backstop, maintains prevention funding, remoteness, and housing funding based on existing allocation approaches, and provides access to capital funding through the existing actual claims process.

ISC has assessed the Chippewas of Georgina Island First Nation's response to ISC's proposal, including requests related to modifying the claims processing timelines as they apply to the Chippewas of Georgina Island First Nation, prevention funding at actual cost, greater remoteness funding based on a community-specific methodology, continued actual-cost funding for Dnaagdawenmag Binnoojiiyag Child & Family Services in 2027-28, carry-forward authority for unexpended funds, and funding for a research study examining the costs of service delivery in the community.

Following our consultative discussions and having given consideration to the Chippewas of Georgina Island First Nation's submissions, ISC intends to implement the interim funding approach presented during consultations. The proposed approach fulfills the Canadian Human Rights Tribunal's direction to establish an interim arrangement and provides funding that is at least as generous as the Tribunal's interim funding measures.

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With respect to claims processing timelines, ISC already has service standards for the processing of claims dating back to 2018 when the Tribunal made its initial actual cost orders. ISC already has service standards for the processing of claims dating back to 2018 when the Tribunal made its initial actual cost orders. The service standard is to provide a decision within 15 business days of receipt of a complete request. If additional information or supporting documentation is required during the review, the service standard clock will be paused while ISC awaits the requested information. The clock will resume once the requested information has been received and ISC has the information required to continue its assessment. ISC will continue to make best efforts to review eligible claims and process reimbursements as quickly as operationally feasible following receipt of complete documentation. The department expects that the proposed funding approach of advance allocations will reduce the burden of claims requiring processing, which may result in shorter processing timelines overall.

ISC has also considered the request for access to actual-cost prevention funding in addition to the existing prevention allocation methodology. Prevention funding will continue to be provided through the per-capita methodology established in 2022-23 pursuant to the Tribunal's orders. This methodology was based on research conducted by the Institute of Fiscal Studies and Democracy and is intended to provide stable and flexible funding while ensuring consistency across communities. For this reason, ISC will not be implementing an additional actual-cost prevention funding mechanism for the First Nation.

With respect to Dnaagdawenmag Binnoojiiyag Child & Family Services, ISC has considered the request for continued actual-cost funding in 2027-28 for intake and investigation services, legal fees, and building repairs. Effective May 29, 2026, the agency is funded according to the funding framework established under the Ontario Final Agreement, as approved by the Tribunal and which includes a service provider funding adjustment mechanism where funding is insufficient to fulfill statutory obligations. The agency is welcome to avail itself of this mechanism should it identify a future need for an adjustment to the funding it receives pursuant to the Ontario Final Agreement.

ISC has also reviewed the request for additional remoteness funding based on a community-specific methodology. Georgina Island First Nation does not qualify for remoteness funding under the Ontario Final Agreement's evidence-based Remoteness Quotient Adjustment Factor (RQAF) methodology approved by the Tribunal. However, as the Tribunal has ordered Canada to implement an interim funding approach that is at least as generous as the Tribunal's previous interim orders, ISC will continue the interim remoteness approach applied to Georgina Island First Nation in previous years that is also currently also applied outside Ontario. ISC is not in a position to increase remoteness funding at this time.

However, ISC is committed to reviewing and refining the RQAF methodology. The program assessment under the Ontario Final Agreement is intended to provide an opportunity to review issues of this nature and inform methodological improvements. ISC is looking forward to continuing discussions with the Chippewas of Georgina Island First Nation on how a mutually agreeable proposal for research related to the costs of delivering services in ferry-connected communities can be incorporated into the program assessment process. While this work may provide valuable information regarding future service delivery models, it is not required to implement the interim funding arrangement. As a result, these discussions need not delay implementation of the interim funding approach.

With respect to the request to carry forward unexpended funds without an approved expenditure plan, requirements governing the management of public funds require accountability, transparency, and sound stewardship. ISC is therefore unable to approve an exemption from requirements that apply broadly across all departmental contribution agreements. The department would be pleased to discuss with the Chippewas of Georgina Island First Nation how ISC can support the First Nation in fulfilling this requirement.

ISC recognizes the importance of continuing discussions on matters raised by the Chippewas of Georgina Island First Nation regarding its additions to reserve and icebreaking tugboat related costs. ISC remains committed to continuing discussions on these matters and to working collaboratively to explore appropriate solutions. As these issues extend beyond the scope of the First Nations Child and Family Services Program and its ongoing reform, they will continue through separate processes and will not prevent progress on implementing the interim funding approach for the First Nations Child and Family Services Program.

We value your leadership and partnership, and we remain committed to continuing to work collaboratively with your community to support children and families.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Julien Castonguay', with a stylized, flowing script.

Julien Castonguay
Assistant Deputy Minister of Children, Families, and Learning
Indigenous Services Canada

Appendix B

August 6, 2026

Chief Bruce Archibald
Taykwa Tagamou Nation
bruce@taykwatagamou.com

Subject: Updates to the funding approach for coordination agreements under *An Act respecting First Nations, Inuit, and Métis children, youth, and families*

Dear Chief Bruce Archibald,

I am writing to inform you of updates to Canada's funding approach for the implementation of coordination agreements under the framework of *An Act respecting First Nations, Inuit and Métis children, youth and families* (the Act).

As a result of these updates, funding for on-reserve child and family services will align with reforms of the First Nations Child and Family Services Program. This funding approach will guide fiscal discussions as negotiations toward your coordination agreement continue.

At your next coordination agreement discussion table meeting, Indigenous Services Canada (ISC) officials will provide additional information on the updated funding approach, discuss its application to your coordination agreement, and respond to any questions that you may have.

ISC's funding approach remains guided by the principle that Indigenous peoples are best placed to make decisions about the well-being of their children, youth, and families. Canada remains committed to supporting the exercise of jurisdiction under the framework of the Act and to working collaboratively with Indigenous governing bodies throughout the coordination agreement process.

We look forward to continuing our discussions with you and your representatives.

Sincerely,

Isabelle Quintal

Isabelle Quintal
Acting Director General
An Act respecting First Nations, Inuit, and Métis children, youth, and families
Children, Families and Learning Sector
Indigenous Services Canada

