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Public statement

**Urgent action needed to improve living conditions in Aboriginal communities: Canada must meet its human rights obligations**

Indigenous peoples and individuals have the right to enjoy the same standard of living and access to government services that are enjoyed by other people in Canada. They have the right to live and bring up their families on their own lands and territories. Our organizations, Canadian human rights and faith-based groups, are deeply concerned that these basic principles are repeatedly cast in doubt.

An emergency intervention by the Red Cross has focused political attention on the severe housing crisis in the northern Ontario Cree community of Attawapiskat. Canadians were shocked to see images of children overcrowded into moldy shacks with no water or electricity. However, international human rights bodies have been raising concerns for years about the conditions in many Indigenous communities in Canada. The government has ignored both the criticisms and the corresponding recommendations.

After visiting a number of First Nations communities in 2007, the UN Special Rapporteur on the right to adequate housing commented: "Overcrowded and inadequate housing conditions, as well as difficulties accessing basic services, including water and sanitation, are major problems for Aboriginal peoples. These challenges have been identified for many years but progress has been very slow leaving entire communities in poor living conditions for decades."

The Special Rapporteur called on Canada to intensify measures to close the gap between Aboriginal and non-Aboriginal Canadians, including on housing; to make adequate housing in Aboriginal communities a priority objective and ensure that adequate credits, investment and other resources be allocated to solve this urgent problem within the shortest possible time frame.

Basic services such as housing, health and education are taken for granted by most Canadians. Indigenous peoples' rights to these services are not diminished by the fact of living in remote communities. Canada's Constitution affirms that federal and

provincial governments and legislatures are committed to promoting equal opportunities, reducing regional disparities, and providing essential public services of reasonable quality to all.

Whenever challenged over the inequalities experienced by Indigenous peoples, the government points to the amount of money spent on services. But the government fails to compare its funding of First Nations services either to what is generally available to other Canadians or to the urgent needs facing First Nations communities, based on decades of human rights violations and government neglect.

The federal government has never engaged in a proper, comprehensive assessment of Attawapiskat's needs and why these needs are not being met. However, when the housing crisis became a national scandal, the government's first reaction was to remove the Chief and Council's authority by placing the community under third party management. According to media reports, the government's offer of emergency housing is conditional on accepting this third party management.

Imposition of third party management moves a community further away from self-determination, self-sufficiency and genuine partnership. The Auditor General has commented that it is also not an economically efficient way to manage First Nations resources. In addition, because communities have no effective legal recourse, the federal government's power to place First Nations under a third party too often appears arbitrary and lacks accountability. Canadians must demand that the federal government demonstrate that its actions were not arbitrary or punitive.

A recent government analysis found "little or no progress" in closing the significant gap between Indigenous and non-Indigenous communities in terms of educational attainment, labour force participation, income, and housing. The Auditor General of Canada commented in June 2011 on both "a lack of progress in improving the lives and well-being" of people living in First Nations communities and the fact that services available in First Nations communities "are often not comparable to those provided [in primarily non-Indigenous communities] by provinces and municipalities." The Auditor General concluded that funding for First Nations housing had not kept pace with the need, that the federal government "lacked clarity" about its obligation to promote equality for Aboriginal people and that federal funding mechanisms for services to First Nations are not adequate to the task.

The *UN Declaration on the Rights of Indigenous Peoples* states that "indigenous peoples have suffered from historic injustices as a result of, *inter alia*, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests."

Attawapiskat and many other Indigenous communities in Canada continue to suffer from the legacy of colonization and dispossession aimed at the eradication of their

cultures. The federal government has apologized for one of these policies, the residential school program. Prime Minister Harper stated ""There is no place in Canada for the attitudes that inspired the Indian residential schools system to ever again prevail." This apology will be meaningless if it is not matched with respectful and cooperative policies that protect human rights, advance reconciliation and ensure the well-being of Indigenous peoples in the Canadian context.

Our organizations call on the federal government to work in good faith with the community of Attiwapiskat to address their immediate needs. We further call on the government to honour their constitutional and international human rights obligations and work in collaboration with First Nations, Inuit and Metis communities and their representative organizations to develop systematic and sustainable solutions. Ongoing discriminatory gaps between Indigenous and non-Indigenous people in Canada are unacceptable.

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