Highlights

INDIAN RESIDENTIAL SCHOOLS SETTLEMENT AGREEMENT

On May 10, 2006, the Government announced the approval by all parties of an Indian Residential Schools Settlement Agreement. The Government's representative, the Honourable Frank Iacobucci, concluded the Settlement Agreement with legal representatives of former students of Indian Residential Schools, legal representatives of the Churches involved in running those schools, the Assembly of First Nations, and other Aboriginal organizations.

The Settlement Agreement is the final legal version of the Agreement in Principle announced on November 23, 2005. The Settlement Agreement now requires court approval in nine Canadian jurisdictions and the conclusion of a five-month opt-out period before coming into effect.

The Settlement Agreement proposes the following individual and collective measures to address the legacy of Indian Residential Schools:

Common Experience Payment

- Following the Implementation Date of the Settlement Agreement and upon application, a Common Experience Payment will be paid to every eligible former student who resided at a recognized Indian Residential School living on May 30, 2005, the day the negotiations were initiated.

- The Settlement Agreement stipulates that $1.9 Billion be set aside for the direct benefit of former Indian Residential School students. Subject to verification, each eligible former student who applies would receive $10,000 as well as an additional $3,000 for each year of residence beyond the first year.

- The Government of Canada is working with the provinces and territories and all federal departments to ensure that payments to former students provided for in the Settlement Agreement do not affect social assistance payments. Settlement payments will not be subject to income taxes.

Independent Assessment Process

- Following the Implementation Date of the Settlement Agreement for a period of five years, an enhanced alternative dispute resolution process called the Independent Assessment Process (IAP) will be the only way a former student may pursue a sexual or serious physical abuse claim, unless he or she has formally opted out of the Settlement Agreement.

- Compensation through the IAP will be paid at 100% by the Government in all cases, following validation of the claim by an independent adjudicator.

Truth and Reconciliation

- A Truth and Reconciliation Commission will be established with a budget of $60 Million over five years. It will be mandated to promote public education and awareness about the Indian Residential School system and its legacy, as well as provide former students, their families and communities an opportunity to share their Indian Residential School experiences in a safe and culturally-appropriate environment.

- The Truth and Reconciliation Commission will undertake a series of national and community events and will establish a research centre for ongoing access to the records collected throughout the work of the Commission.

Commemoration

- The Settlement Agreement provides for additional funding, for a total of $20 Million, to be made available for events and memorials to commemorate the legacy of Indian Residential Schools, to be managed by the Government in conjunction with the Truth and Reconciliation Commission.

Healing

- The Settlement Agreement provides for an additional endowment of $ 125 Million to the Aboriginal Healing Foundation, to support its healing programs and initiatives for a period of an additional five years.

- The Church entities involved in the administration of Indian Residential Schools will contribute up to a total of $100 Million in cash and services toward healing initiatives.

Advance Payments

- The Government has announced an Advance Payment program for eligible former students who were 65 years of age or older on May 30, 2005, the day the negotiations were initiated. Upon application and verification, eligible former students will receive an $8,000 Advance Payment, which would then be deducted from any future Common Experience Payment or other payment related to their experience at Indian Residential Schools.

- Applications for the Advance Payment will be accepted until December 31, 2006.

- Advance Payment application forms are now available on the Indian Residential Schools Resolution Canada website at www.irsr-rqpi.gc.ca.

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