

# Justice Partnership and Innovation Program

**i** We are no longer accepting funding proposals. Please check this web site periodically for updates: <https://www.justice.gc.ca/eng/fund-fina/cj-jp/fund-fond/proj.html>.



## Funding Opportunity

### **i** Call to Action 50

“In keeping with the United Nations Declaration on the Rights of Indigenous Peoples, we call upon the federal government, in collaboration with Aboriginal organizations, to fund the establishment of indigenous law institutes for the development, use, and understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada.”

Indigenous Peoples in Canada have unique laws and legal traditions. The Truth and Reconciliation Commission of Canada (TRC) found that Indian Residential Schools caused survivors and whole communities to lose their connection to their laws, along with their languages and cultures. In order for Indigenous laws to meet the needs of Indigenous communities today, those laws must go through a process of revitalization. The TRC further found that revitalization of Indigenous laws is a method by which to support Indigenous peoples as they develop unique responses to the challenges facing their communities, internally and across Indigenous groups.

The Government recognizes the importance of revitalizing Indigenous legal systems, and the important role that Indigenous law institutes, in partnership with Indigenous communities, can play in the development, use, and understanding of Indigenous laws.

## Overview

In Budget 2019, in the context of “Making Progress on the Truth and Reconciliation Commission of Canada’s Calls to Action” the Government of Canada responded to Call to Action 50 by proposing to invest \$10 million over five years in support of Indigenous law initiatives across Canada through the Justice Partnership and Innovation Program (JPIP), to improve equality for Indigenous Peoples in Canada’s legal system.

This call for proposals will support renewed legal relationships with Indigenous peoples by funding initiatives that will advance the development, use and understanding of Indigenous laws.

## Purpose and Objectives of the Funding

The objective of this call for proposals is to fund projects that help to support the development, use and understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada. The intention is to fund Indigenous law revitalization projects in all regions of Canada involving First Nations, Inuit, and Métis legal traditions.

To support this objective JPIP would support projects to:

- **Develop** Indigenous laws through research into traditional or customary practices, including in modern forms or as modified over time;
- Support the **use** of Indigenous laws by Indigenous communities;
- Increase the **understanding** of Indigenous laws within Indigenous communities and by all Canadians.

### What are Indigenous laws?

As defined in the final report, “Aboriginal law” is the collection of Canadian laws relating to Indigenous peoples in Canada and their land/property such as the *Indian Act*, sectoral legislation such as the *First Nations Land Management Act*, and section 718.2(e) of the *Criminal Code of Canada*. This also includes colonial/British laws, constitutional laws, Royal Proclamations, international treaties, and jurisprudence.

For the purposes of this funding opportunity, “Indigenous laws” are the laws and legal traditions that govern behaviour within First Nation, Inuit, and Métis communities and their relationships with other nations. This includes laws held and exercised by communities individually and within or across broader governance structures, in relation to all aspects of governance. Indigenous laws may take different forms from traditional ceremonies and stories to written laws and by-laws, and may include instruments linked to Canadian laws such as the *Family Homes on-reserves and Matrimonial Interests or Rights Act*.

This funding opportunity supports each of JPIP’s objectives:

- To promote and encourage involvement in the identification of emerging trends, issues and/or gaps and possible responses with respect to the justice system.
- To promote innovations in the justice system to ensure greater access to the justice system
- To build knowledge, awareness, understanding and informed dialogue among justice stakeholders and/or the public on justice issues including access to justice, racism, official languages, anti-terrorism, sentencing and other emerging justice issues, including justice related issue in the international fora.

## Capacity-Building

The revitalization of Indigenous laws is a (multi)generational project. Priority will be given to projects that aim to increase capacity within an institute or community(ies) to continue to work in this field beyond the specific project.

## Who can apply for this funding?

- Canadian not-for-profit and non-governmental organizations;
- Canadian educational institutions;
- Bands, Tribal Councils, self-governing First Nations, Métis and Inuit.

## Eligible Activities

Eligible activities include, but are not limited to:

- Elder interviews, oral history projects
- Land-based learning including field schools and cultural immersion
- Building Capacity within institutes and Indigenous communities to carry on the work of revitalizing Indigenous laws in other communities or areas of law in future
- Conferences, workshops, and training sessions
- Curriculum development
- Development of model codes and laws
- Pilot projects that test models for courts or other institutions
- Community engagement/awareness projects
- Public legal education and information projects

As the purpose of CTA 50 Funding is to assist in the revitalization of Indigenous laws, priority will be given to applications addressing Indigenous laws, rather than Indigenous approaches to existing Canadian Law (e.g. Gladue reports).

## What is ineligible?

CTA 50 Funding is project-based. It is not intended to fund long-term programs or implementation costs, with the possible exception of pilot projects that may become self-sustaining at the end of the pilot project.

CTA 50 funding cannot be used for:

- The purchase of land, buildings, vehicles and most capital expenditures;
- Project costs incurred before the agreement is approved;
- Core operational expenses; or
- Duplication of programs or services already funded or delivered by other organizations or government departments.

Applications that exclusively address Federal or Provincial laws are not eligible.

## How much funding is available for each project?

The level of funding will vary from project to project based on the nature and scope of the proposed activities.

Up to \$500,000 is available per project for up to 4 years (April 1, 2020 to March 31, 2024) with a maximum of \$200,000 per fiscal year. Funds are limited and there is a need to ensure a regional and distinctions-based distribution of the limited funds. Unfortunately, it may not be possible to fund all eligible projects.

## Length of Project?

Multi-year projects (up to 4 years) are eligible but all funds must be spent by the end of fiscal year 2023/24.

## When is the deadline to submit a funding application?

November 1, 2019

## How to Apply for Funding

To submit a request for funding, please complete the Application/Proposal Form: [https://www.justice.gc.ca/eng/fund-fina/f\\_04.html](https://www.justice.gc.ca/eng/fund-fina/f_04.html).

## Key considerations:

The following key considerations should be applied in developing applications for this funding opportunity, and evidenced in your proposals:

### Gender-Based Analysis Plus

Indigenous women, girls, and LGBTQ2I+ people have been subject to high levels of discrimination and violence. When preparing your proposal, please elaborate on how your proposed activities will impact diverse groups of women and men, for example elders, youth and LGBTQ2I+ people. The TRC rejected any use of Indigenous or other laws that fundamentally treat women and men in ways that communicate or create subordination and called upon any such law to be contested without undermining the underlying Indigenous legal systems.

### Distinctions Approach and Regionalism

The TRC recognized that every Indigenous nation has its own culturally specific laws. The CTA 50 funding will seek to ensure that a broad regional representation of First Nations, Inuit and Métis peoples are supported by this investment. When preparing your proposal, please elaborate on which area(s) of law within which Indigenous community(ies) are being supported through your proposal. Priority may be given to applications proposing to serve communities or regions that have not previously received support through CTA 50 funding.

### Community Partnerships

The TRC identified Indigenous law institutes as an appropriate vehicle for funding to support the development, use and understanding of indigenous laws. However, Indigenous laws are held by and within Indigenous communities and the revitalization of Indigenous laws must be led by

Indigenous peoples. Consequently applications that are submitted with the support of, or in partnership with, Indigenous communities will be given priority.

## **Additional Information**

For further information about the CTA 50 funding opportunity and how to apply, please contact:

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