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UBCIC
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General Recommendations

Permanent Forum on Indigenous Issues

Third Session

New York, 10-21, 2004

Item 4 of the Provisional Agenda

Mandated Area: Education

Jody Woods
per
Chief Stewart Phillip

Statement submitted by the ~~Union of British Columbia Indian~~ Chiefs (UBCIC), a non-governmental organization in consultative status with the Economic and Social Council

Recommendations

The UBCIC recommends that the Forum works to establish a United Nations Justice Commission to ensure Indigenous peoples have meaningful recourse when state mechanisms fail to guard against injustice.

UBCIC represents over sixty Indigenous communities in British Columbia, Canada who refuse to take part in the British Columbia Treaty Process. The UBCIC and our member communities believe that the BC Treaty Process serves to extinguish rather than strengthen Indigenous political and territorial rights. We refuse to enter into any negotiations conducted under this premise and maintain the position that Indigenous rights cannot and will not be surrendered. As a result, the UBCIC and our member communities have been politically and economically marginalized with little option for redress.

The UBCIC would like to remind United Nations member states of the importance of securing adequate financial support for the activities of the Forum in the interest of freedom, justice and peace for all peoples.

Last year, Canada contributed \$9,747 to the United Nations Voluntary Fund for Indigenous Peoples. In 2003, contributions to the Voluntary fund totalled \$185,162. As a result the implementation of the Forum's recommendations has been inhibited by a lack of sufficient financial resources. Canada demonstrates a similar lack of commitment to Indigenous peoples at a regional level, with similar results.

Local Control (fit with PFII mandate/recommendations)

Partnerships (an invite or a recommendation for a working group or something?)

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Statement submitted by the Union of British Columbia Indian Chiefs (UBCIC), a non-governmental organization in consultative status with the Economic and Social Council

The UBCIC's Position: Education

Indian Control of Indian Education

The UBCIC believes that education is a right of all Indigenous peoples, including the right to be educated in our own languages and to establish our own educational institutions. This is a right that ensures our survival as Indigenous peoples. The UBCIC also believes that local control and adequate funding are fundamental to the implementation of these rights.

In 1972, the UBCIC collaborated with the National Indian Brotherhood on their declaration on education, *Indian Control of Indian Education*. This statement is founded on the philosophy that Indigenous parents must have full responsibility and control over the education of their children. Furthermore, the Canadian government must adjust its policies and practices to make possible the full participation and partnership of Indigenous people in all decisions and activities connected with the education of Indigenous children.¹

In order for Indigenous people to have full responsibility over the education of their children, we require (1) local control (2) meaningful representation (3) full participation in any transfer of jurisdiction of educational responsibilities, including those related to the federal responsibility for funding education. In short, Indigenous people require “Indian control of Indian education.”

Canada's Obligations

The Canadian government, by assuming control over the education of Indigenous people in the past, and asserting historical jurisdiction over Indigenous territories—thereby enriching itself while reducing our ability to maintain our own educational systems—has assumed financial obligations for the provision of education that will ensure our survival as Indigenous peoples.

The UBCIC has always maintained that Canada must honour these obligations to our people, until (1) our political and territorial rights are restored, together with our ability to benefit from our lands and resources; and (2) our own governance institutions are reinvigorated; this includes educational institutions.

Canada's Practices

While the UBCIC strongly believes that Indigenous people have a right to control both the means and the ends of Indigenous education, Canada merely adopts the phrase, “Indian

¹ National Indian Brotherhood. *Indian Control of Indian Education*. 3rd Printing. Ottawa: Assembly of First Nations, 2001. Available at:
<http://www.afn.ca/programs/education/Indian%20Control%20of%20Indian%20Education.pdf>

Control of Indian Education,” in its submissions to the Forum.² In reality, Canadian policy serves to further weaken the basis of Indigenous self-determination in the area of education by reducing financial resources available for Indigenous education and transferring direct control over these resources from Indigenous communities and nations to regional organizations.

In British Columbia, the development of a regional education organization is closely tied to the British Columbia Treaty Process. The UBCIC has chosen not to participate in the BC Treaty process because we believe it is aimed at the extinguishment of our Aboriginal Title and Rights.³ Therefore, UBCIC member communities have little or no involvement in the design, direction or evaluation of Indigenous education policies, processes and structures in British Columbia. Insofar as federal educational funding is channelled into this regional organization, we have marginal access to such funding. This situation results in serious marginalization and further impoverishment of the communities who refuse to participate in the BC Treaty process.

The Forum emphasizes the role and importance of education in fostering cultural exchange and ensuring the protection of indigenous cultural identity and heritage.⁴ The UBCIC believes that Indigenous peoples have the right to be educated in our own languages and to establish our own educational institutions. Canada, on the other hand, emphasizes the role of education in facilitating the assimilation of Indigenous people into the wage economy.⁵

Canada’s penchant for cultural assimilation over cultural diversity becomes clear in its education policies and its lack of commitment to adequate, equitable funding for Indigenous peoples. Rather than encourage the establishment of Indigenous schools grounded in Indigenous languages and philosophies, Canada demands that Indigenous schools adopt provincial curriculum without a corresponding requirement that provincial schools change their policies and standards to reflect local Indigenous ideas about education. In addition, in British Columbia, provincially operated elementary schools receive \$12000 per Indigenous student—Indigenous community schools receive \$5000 per student.

² Canada. *Responses to Recommendations Made in the Report of the Second Session of the Permanent Forum on Indigenous Issues*. February 2004 [Para 63].

³ See Union of BC Indian Chiefs, *Truth Behind Treaty-Making* (Vancouver: Union of BC Indian Chiefs, 1999) for the UBCIC position on the BC Treaty Process (attached).

⁴ E/2003/43 E/C.19/2003/22.

⁵ Canada. *Responses to Recommendations Made in the Report of the Second Session of the Permanent Forum on Indigenous Issues*. February 2004 [Para 61].