
Assembly of First Nations

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Assemblée des Premières Nations

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ANNUAL GENERAL ASSEMBLY
July 23, 24 & 25, 2019, FREDERICTON, NB

Resolution no. 33/2019

TITLE: Developing a Ten-Year Treaty Education Implementation Plan

SUBJECT: Education, Treaties

MOVED BY: Chief Stanley Grier, Piikani Nation, AB

SECONDED BY: Tyrone McNeil, Proxy, Kwaw-Kwaw-Apil First Nation, BC

DECISION: Carried; 6 objections, 1 abstention

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:

- i. Article 13 (1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
- ii. Article 13 (2): States shall take effective measures to ensure that this right is protected and also to ensure that Indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.
- iii. Article 14 (1): Indigenous peoples have the right to establish and control their education systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- iv. Article 14 (2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
- v. Article 14 (3): States shall, in conjunction with Indigenous peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

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PERRY BELLEGARDE, NATIONAL CHIEF

33 – 2019

Page 1 of 3

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- vi. Article 15 (1): Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
- vii. Article 15 (2): States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.
- viii. Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, Indigenous peoples have the right to be actively involved in developing and determining, health, housing, and other economic and social programmes through their own institutions.
- ix. Article 37 (1): Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.
- x. Article 37 (2): Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

B. The *Constitution Act, 1982* states:

- i. Section 35 (1): The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

C. Aboriginal Treaties with Great Britain are the foundation of all governments in Canada and public international law.

D. Treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened Nation-to-Nation partnership between First Nations and the Canadian government.

E. The Supreme Court of Canada in *R. v. Côté* at para. 57 affirmed that to ensure the continuity of Aboriginal customs and traditions, a substantive constitutional right will normally include the incidental right to teach a practice, custom or tradition to a younger generation.

F. The Aboriginal and Treaty right to education is constitutionally recognized across Canada and is integral to a promised and enriched livelihood.

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- G. The Truth and Reconciliation Commission of Canada, Call to Action #62, calls on Canada to make age-appropriate curriculum on Residential Schools, Treaties, and Aboriginal Peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.
- H. Treaty education refers to the development and implementation of a greater understanding of inherent powers and Treaties of First Nations as both historical and living agreements, which have ongoing rights, responsibilities and implications.
- I. Treaty education should be an inclusive, obligatory exercise for the education of all citizens in the provinces and territories on the existence of Treaties, their importance as the foundation of relationship-building between First Nations and Canadians, and their value to Canadian society in both historical and contemporary contexts.
- J. Shared history and common understanding of both Treaty partners' pasts is integral to shaping the education of each province and territory.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

- 1. Call-upon the Government of Canada, with the consultation and cooperation of First Nations, to develop and establish a minimum ten-year Treaty Education Implementation Plan that will ensure every school, every grade, and every class has access to Treaty education resources and training.
- 2. Call-upon the Government of Canada to provide First Nations with funding capacity to develop and establish a minimum ten-year Treaty Education Implementation Plan. The ten-year Treaty Education Implementation Plan will be led and monitored by First Nations.
- 3. Call-upon the Council of Ministers of Education, in partnership with First Nations, to support mandatory Treaty education in each provincial and territorial school system, while ensuring the implementation is culturally, historically and linguistically relevant, as directed by First Nations and their Elders.

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