

International Organization of Indigenous Resource Development

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Economic and Social Council

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MINORITIES' RIGHT TO EDUCATION CHIEF WILTON LITTLECHILD SPEAKING NOTES

Item III: Essential Requirements for an Effective Education Strategy

Thank you Madame Chairperson.

We note that the Human Rights Council Expert Mechanism on the Rights of Indigenous Peoples' mandate is similar regarding a study on Education and supports Canada's statement in that regard. However, Indigenous Peoples are sometimes considered numerical minorities. Since Education of Indigenous students in our country has been declared to be in crisis, we will use all fora for help especially regarding religious and linguistic rights of minorities which might include us. We have two specific comments:

1. Budgetary Allocations paragraph 17, 30 of the Recommendations:

In Canada, the two percent (2%) funding cap has caused serious problems, resulting in discrimination and obstacles, ie two thousand dollars (\$2,000) less per Indigenous student, results in:

- Overcrowded classrooms;
- Low teacher retention rates due to less money for teacher salaries;
- No support for teacher assistants;
- Outdated textbooks and limited teaching tools;
- Little or no support to keep up with technology (ie. Limited access to computers, outdated software, no computer lab, no technician/teacher or no computers at all);
- No support for libraries or resource centres;
- No support for physical education, sports or extra curricular;
- Little or no support for First Nations' languages;
- Little or no support for children with disabilities;
- Little or no resources for maintenance of schools

Note as to recruitment of teachers in your concept paper this situation adds to a serious issue of retention of teachers because of lower salaries

2. Legislation to Implement Education Rights:

As to legislation we draw your attention to the fact that the Canadian Constitution recognizes and affirms Treaty Rights (s.35) so Treaty rights to education are being violated, eg. policy decisions. Note also the UN Declaration on the Rights of Indigenous Peoples at least 14 Articles are about Education.

In conclusion please note the Auditor General of Canada stated in May of 2008 *"First Nations children should have equitable access to a level and quality of services comparable with those provided to other children."*

Therefore we recommend immediate removal of discriminatory budgetary cap, especially where there are existing legal Treaty rights to education; otherwise it is an ongoing human rights violation. Also consider replacing it with a new, sustainable funding model.

Item IV: Equal Access to Quality Education includes Quality Physical Education

We note the Committee member on the Rights of the Child noted articles of the Convention on the Rights of the Child to which we would add specifically:

Article 23 – Students have the right to special education and care if they have a disability so that they can live a full life.

Article 28 – Students have the right to a good quality education and should be encouraged to go to school to the highest level they can.

Article 29 – Education should help children use and develop their talents and abilities.

Article 30 – Students have the right to practice their own culture, language and religion, or any they choose. Indigenous peoples and minority groups need special protection of this right.

Article 31, 29(a) - Students and children have the right to play and to quality physical education.

The concern we have is that the CRC General Comment regarding Indigenous children excludes two important elements of quality education:

- 1 Article 29(a) - Quality Physical Education, i.e. when you cut from education budgets physical education you no longer have quality education.
- 2 Article 31 - Right to Play (traditional games and sports)

Therefore we respectfully recommend you include specific reference to article 31 CRC, because of all positive benefits of opportunity to enjoy this right to play and quality physical education as part of equal access to quality education and as implementation of UN Declaration article 31.

Item VII: The Content and the Delivery of the Curriculum

It is our view that the inclusion of the histories, culture and traditions of Indigenous peoples and minorities in the general compulsory curriculum is very important and essential to bring better awareness and consequently improve relations among Treaty partners. Treaties and Agreements are a basis of good relationships and strengthened partnerships (Witaskêwin – Cree Word). Unfortunately students in all levels of education do not know about Indigenous Treaties with other Nations.

Therefore we respectfully urge you to recommend the inclusion of studies on Treaties as Nation to Nation agreements in the general compulsory curriculum, especial in relevant States of the world where Treaties exist. We argue that awareness of Treaties will bring about better understanding among students and result in better relationships among all people.

Thank you for your consideration on all these matters. Nothing in this submission should be interpreted nor construed as Indigenous Peoples agreeing to be considered as minorities. As you know these are two distinct and separate identities and have their own mechanism and Declarations.

Chief Wilton Littlechild, IPC