

Assembly of First Nations

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Assemblée des Premières Nations

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ANNUAL GENERAL ASSEMBLY
July 9, 10, 11, 2024, Montreal, QC

Resolution no. 53/2024

TITLE:	State of First Nations Education Sovereignty in Canada & Globally: Measure 19 and regionally-based First Nations implementation and evaluation of the UNDA Action Plan
SUBJECT:	Justice
MOVED BY:	Chief Leroy Denny, Eskasoni First Nation, NS
SECONDED BY:	Chief Roderick Gould Jr., Abegweit First Nation, PE
DECISION	Carried by consensus.

WHEREAS:

- A. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) states:
- Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- B. The *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA) was given Royal Assent on June 21, 2021, and states:
- Preamble: Whereas the Government of Canada rejects all forms of colonialism and is committed to advancing relations with Indigenous peoples that are based on good faith and on the principles of justice, democracy, equality, non-discrimination, good governance and respect for human rights
 - Section 5: The Government of Canada must, in consultation and cooperation with Indigenous peoples, take all measures necessary to ensure that the laws of Canada are consistent with the Declaration.
- C. Measure 19 of Canada's UNDA 2023-2028 Action Plan states:
- Education, information and media (articles 14, 15, 16): The Government of Canada will take the following actions in consultation and cooperation with First Nations:

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Support First Nations control of First Nation education and self-determined education approaches at many levels, including the conclusion of Regional Education Agreements, as sustainable models, (underpinned by funding comparable to provincial education systems) to close the education gap, leading to better outcomes. Ensuring robust and responsive education systems paves the way for access to higher education opportunities, all of which foster more prosperous communities. (Indigenous Services Canada)

- D. Some Nations have identified that none of the measures to date substantially address their control over education or the work required by Canada to meaningfully support their jurisdiction over education.
- E. There must be regional approaches to implementing measures in the National Action Plan respecting the diversity across Nations and regions.
- F. The settler colonial Crown must be accountable for recognizing Nations' sovereignty, their right to self-determination, and their right to establish and control their own education systems, as affirmed in Article 14 of the UN Declaration.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

1. Affirm there can be no meaningful *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA) 2023-2028 Action Plan without regional-specific approaches to the interpretation and implementation of Measure 19 as determined by the self-determining Nations in those regions, which may include, among other things:
 - a. mechanisms to formally move away from the *Indian Act* and its application of sections 114-124 as a tool of power over First Nations governments and their education systems.
 - b. mechanisms for appropriate, comprehensive, and fully equitable funding that meets the needs, including historical redress, of First Nations lifelong learning systems based in First Nations-led and designed regional First Nations education models, frameworks, approaches and formulas.
 - c. mechanisms and arrangements that support First Nations exercise of education jurisdiction, including appropriate education funding options outside of the Regional Education Agreement program.
2. Call upon the Government of Canada to respect regional approaches/models to interpreting and implementing the UNDA 2023-2028 Action Plan Measure 19, as determined by Nations in those regions, and to negotiate honourably and in good faith, including to provide meaningful funding to support Nations' participation in negotiations.
3. Direct the AFN to engage with the federal government on the UNDA 2023-2028 Action Plan measure 19 to ensure alignment between Action Plan measure 19 and UNDRIP Article 14.

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