

June 23, 2023

Canadian Heritage
Heritage Branch
25 Eddy Street, 9th floor
Gatineau, Quebec J8X 4B5

RE: Consultations on the renewal of the Museum Policy

To the Minister of Canadian Heritage and the Department of Canadian Heritage:

Please accept this submission on behalf of members of the Canadian Museum Association (CMA) Reconciliation Council (hereafter referred to as the “Council”) as part of the consultation process for the development of the new National Museums Policy.

As you may be aware, the Council provided authoritative guidance on *Moved to Action*, the CMA’s response to TRC Call to Action #67. The report outlined 10 recommendations and 30 new standards required to fully implement UNDRIP in museums. Most notably, Recommendation #4 of *Moved to Action* concerns the Museum Policy directly:

4. Revise the National Museum Policy and Museums Assistance Program

As foundational planning and funding streams for museums in Canada, the National Museum Policy and Museums Assistance Program must be revised to support and enforce the Principles of UNDRIP in their structures and delivery. This report recognizes that sustainable core funding for museums will strengthen the capacity of museums to be supportive partners in the decolonization process, and therefore also recommend that MAP funding is restored to its 1972 level adjusted for inflation.

In this submission, we will outline some factors that should be considered as the policy is revised.

Self-Determination First

With the added impetus of the United Nations Declaration on the Rights of Indigenous Peoples Act, and as defined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Article 3,¹ a new Policy must centre and prioritize Indigenous self-determination from its principles and objectives, down through its programming goals.

From our perspective, this includes mechanisms for proactive, ongoing, and meaningful consultation and collaboration with Indigenous rights holders in each area where the policy connects to and affects them, for the full duration of the life of the policy, as additionally asserted

¹ UNDRIP Article 3. Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development.

in UNDRIP Article 35.² The policy must be flexible and allow for authoritative guidance and community confirmation beyond project boundaries in all areas that support the implementation of UNDRIP.

Acknowledge the History

It is important that the policy be self-aware, understand and be forthcoming about the ways that government policies and the museum sector in Canada harm Indigenous cultural heritage, both in the past and today.

It must also encompass an expansive definition of heritage to include Indigenous considerations around how heritage and culture is tied to land, language, spirituality, and ceremony. This would require looking further than “the works of humanity” as referenced in the old policy. It also requires expanding the definition beyond the origins of Canada in its scope and acknowledging the separate and distinct histories of Indigenous communities that have been here since time immemorial.

A Model of Equality

Support for Indigenous peoples should not be siloed. We are all part of the circle now, sitting together and planning our future. A new Policy must be built of equality, reducing wherever it can the hierarchical model that currently exists.

Operating on grants, on a project basis and on Federal government fiscal timelines has been harmful and counterintuitive to the community practices of most Indigenous nations. Acknowledgement that this asserts government authority over self-determination will be important, as will finding flexibility for programs to be supportive at an operational level with sustained funding. We encourage support for revenue-sharing arrangements between institutions and Indigenous nations from whose intellectual property, collections, knowledge, exhibits and programming they benefit. Decolonization is not a project, but a long-term and ongoing commitment that requires a long-term and ongoing level of support.

We would also like to see reciprocal mentorship opportunities within Policy programs. For example, new opportunities for the Canadian Conservation Institute and the Canadian Heritage Information Network to work alongside communities, to train others in their areas of expertise and develop the ways in which their programs will become more sensitive to Indigenous collections care, which includes ceremonial practices such as community contact, smudging, feeding, different ways of identifying and classifying to name a few. A national UNDRIP professional development strategy for museum professionals would additionally strengthen these initiatives to develop Indigenous self-determination in museums.

This would also include training and support in Indigenous languages, in addition to French and English, as is currently required in the Policy.

A Dedication to Repatriation

² UNDRIP Article 35. Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Of particular importance, a new Policy must indicate genuine and dedicated support for repatriation. Much like the 1990 Policy update, the need to consider the genuine centralization problem of collections in Canadian museums is ongoing. Continued attention to the decentralization of collections is essential, with Indigenous communities playing an active and authoritative part in both the review and return of those collections as it pertains to them, as referenced in UNDRIP Article 12.³

We must also consider that items under consideration for repatriation are more than objects, as indicated in UNDRIP Article 31, which includes sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts, as well as intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.⁴ As mentioned earlier, this definition also includes land, language, spirituality, and ceremonies, as indicated in UNDRIP Article 25, among other pertinent articles.⁵ The new Policy therefore must uphold the right to repatriate Indigenous tangible and intangible heritage in their most expansive forms, as defined through UNDRIP, with a separate program to support repatriation, including guidance and capacity building with dedicated funding for the whole process. The program should support research and belonging identification, costs of return or stewardship arrangements, as well as general operational support for the place and people caring for the belongings, to name a few.

A new Policy should support the development of a new National Repatriation Framework that is Indigenous-led in both consultation and design. It should also address international repatriation to the extent possible.

Conclusion

In conclusion, a new Policy must first centre the truth of Canada's colonial history and its impact on Indigenous cultural heritage. It needs to support Indigenous self-determination and be compliant with UNDRIP. It must build capacity in Indigenous communities in a manner that is

³ UNDRIP Article 12.1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains. 2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

⁴ UNDRIP Article 31 1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. 2. In conjunction with Indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

⁵ UNDRIP Article 25. Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

flexible and responsive, with an ability to adapt, change and make space for Indigenous authority over the work that it supports. We need to acknowledge the truth of how policies contribute to the colonial project, analyze, and remove those shortcomings in favour of more open approaches.

A new policy also needs to prioritize the return of Indigenous belongings in the best interests of Indigenous communities as defined by them. This includes building capacity in communities, and engaging each other intra-nationally, with mutual support so we are all supported equally.

We hope that the new museum policy will emphasize UNDRIP and support Indigenous self-determination at its core.

Sincerely,

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