

DRAFT: February 20, 2020

Claude Doucet  
Secretary General  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

Dear Mr. Doucet:

**Re: Broadcasting Notice of Consultation CRTC 2019-379  
CBC/Radio Canada Licence Renewal**

**Preamble:**

The Indigenous Screen Office (ISO) supports the renewal of the broadcasting licences for Canadian Broadcasting Corporation/Société Radio-Canada ("CBC/Radio Canada"). ISO wishes to appear at the public hearing.

Our comments in this renewal process are focused on CBC/Radio Canada's role in the reflection of Indigenous Peoples in broadcast media – which is broadly understood to include all digital platforms on which CBC/Radio Canada operates.

As Canada and Canadians seek a reinvigorated and reimagined relationship between Indigenous peoples and Canada, it is our belief that Indigenous voices and stories play an essential role in this conversation, and that the CBC/Radio Canada is obligated to support and platform those voices.

Indigenous stories remain a defining feature of Canadian culture, one of its elements that is truly distinct in the world and an area that has long been neglected and without the supports shown to the French and English communities of Canada.

CBC/Radio Canada must support Indigenous communities in the same way it serves French and English communities. As a public broadcaster, it's role should be helping to define and showcase Canada for Canadians and the world, and this should include Indigenous made content created for the benefit of all Canadians.

The CBC/Radio-Canada must support Indigenous languages and cultures and recognize them for their essential importance to Canadian culture and our shared sense of national identity.

## **Support for Renewal**

1. The ISO supports the renewal of CBC/Radio Canada's licences, and the proposals made by CBC/Radio Canada to extend regulatory oversight to CBC/Radio Canada's online digital activities. The ISO-BEA supports the distribution of Canadian and Indigenous content across CBC/Radio-Canada platforms and wish current Canadian content commitments continue on both linear broadcast and digital distribution systems.

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*“It is a shared responsibility that these stories remain respectful to the origin of community they exist within, we do not have right to change these stories or tell them without consent of traditional knowledge systems. Indigenous communities practitioners can tell their own stories – they are the ones that can work with their communities to ensure respect of protocols and ideologies.” — Tracey Kim Bonneau, Producer <sup>1</sup>*

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## **Specific Measures for CBC/Radio Canada**

1. The CBC/Radio-Canada must have Indigenous leadership at the executive, managerial and editorial levels overseeing the commissioning, creation and dissemination of Indigenous content.
2. The support of Indigenous, French and English languages and cultures in Canada must remain a primary requirement of CBC/Radio Canada, regardless of platform or distribution network.
3. CBC/Radio-Canada must treat Indigenous content in the same manner they service French and English and support Indigenous narrative sovereignty.

*The ‘On-Screen Protocols and Pathways Report’ states while the vision of narrative sovereignty is aspirational at this point, efforts to build the necessary capacity are underway and must remain a focal point.*

*“As is currently reflected in French and English Canada, Indigenous creators strive to assert their own sovereignty as one of the three founding nations. Culture is a fundamental underpinning of sovereignty and identity, and for the purpose of these protocols, recognition of Indigenous ownership and control over their rights to their intellectual and cultural property and heritage is paramount. Sovereign nations must have control over own stories.*

*To assure sovereign notions and support truly Indigenous projects, Indigenous peoples must:*

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<sup>1</sup> OSPP Page 18

1. *Have decision making control over the funding and the creative sides of production;*
  2. *Protect Cultural Property Rights and interests;*
  3. *And ensure appropriate consents, access to, and control of Cultural property.”<sup>2</sup>*
4. There must be greater transparency in CBC’s accounting for Indigenous content, including identified infrastructure and content spending.
  5. CBC/Radio-Canada must work much more closely with Indigenous broadcasters such as APTN, to both produce and distribute Indigenous content.
  6. CBC/Radio Canada's renewal should recognize the primary and critical role of the existing, Indigenous-controlled broadcasting media – which should be encouraged to grow. CBC/Radio Canada is a powerful presence in Canada and this power should be directed to support Indigenous expression, which includes supporting Indigenous creators, of course, and also the Indigenous media that enables this expression in its most direct form.
  7. CBC/Radio Canada, in its operations and practices, should use its public resources to enhance and extend the impact of the more limited resources available to existing and future Indigenous services.

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*“When you come from a community that has been so, not been under represented but MIS-represented for a century, you feel a responsibility to tell stories that matter and that are not just entertaining. We carry a lot of responsibility whether it is self-imposed or community imposed.”*

*— Alethea Arnaquq-Baril, Filmmaker<sup>3</sup>*

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8. ISO-BEA supports the following measures, which would be followed by CBC/Radio Canada in its operations affecting Indigenous Peoples and media:
  - a. CBC/Radio Canada's primary role with respect to Indigenous Peoples should be a role of reflection and support for Indigenous creators and Indigenous-controlled media.
  - b. CBC/Radio Canada should provide Indigenous reflection in accordance with the principles set out in the regulatory framework for Indigenous broadcasting, which the CRTC, in close consultation with Indigenous Peoples, is currently reworking.

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<sup>2</sup> OSPP Page 8

<sup>3</sup> OSPP Page 11

CBC/Radio Canada's supporting and reflective role in Indigenous broadcasting should be reflected in the framework.

- c. The ISO-BEA agree with CBC/Radio Canada that specific questions touching on Indigenous broadcasting and content (for example, the question of defining an "Indigenous musical selection" and "emerging Indigenous artist") should be developed through consultations with Indigenous communities and reflected in the new framework.
- d. The framework should also address the definition of an "Indigenous audio-visual production" and, in our view, this definition should require that the production be created and controlled by Indigenous Peoples.
- e. In its relationships with Indigenous creators and Indigenous media, CBC/Radio Canada should:
  - i. Recognize and ensure the primacy of Indigenous creators and voices in the creative process in the reflection of Indigenous Peoples.
  - ii. Recognize the primary role of Indigenous media, where it is available in a format or area of service, as the expression and embodiment of the rights of Indigenous Peoples to own and operate our own media. Where Indigenous media is not available, CBC/Radio Canada should support the establishment of such media.

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*'If you want it to have relevance and resonance – co-create and collaborate. Do not make it a consultation – share power, share influence, share the wealth, of power, of control – do not be so possessive of it.'* — Kevin Lee Burton, Filmmaker <sup>4</sup>

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## **Reports:**

The ISO-BEA supports CBC/Radio-Canada's obligations and believes that CBC/Radio-Canada will develop strategies based on the following Report recommendations and calls to action.

### **(a) United Nations Declaration on the Rights of Indigenous Peoples**

9. Canada is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples (the "UN Declaration"). The Government has made an unequivocal commitment to adopt the UN Declaration in a manner that is consistent with Canada's Constitution and the "full box of rights for Indigenous Peoples in Canada"<sup>5</sup> set out in section #35 of the Constitution.

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<sup>4</sup> OSPP Page 16

<sup>5</sup> Hon. Carolyn Bennett to the United Nations General Assembly on May 10, 2016.

10. The UN Declaration issued a direct statement regarding Indigenous media:

*Article 16*

1. *Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.*

11. The UN Declaration also addresses the role of State media (such as CBC/Radio Canada.

2. *States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring*

**(b) The National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) Final Report**

12. There are 231 steps that need to be taken by governments and Canadians in order to end the genocide against Indigenous women and girls according to Missing and Murdered Indigenous Women and Girls Final Report.

13. These are "Calls for Justice" and Section 6.1 directly states that all Canadian media must take appropriate action.

*Calls for Media and Social Influencers*

*6.1 Ensure authentic and appropriate representation of Indigenous women, girls and 2SLGBTQQIA people. Support Indigenous people sharing their stories, from their perspectives, free of bias, discrimination and false assumptions, and in a trauma-informed and culturally sensitive way. Increase the number of Indigenous people in the industry. Take proactive steps to break down the stereotypes that hypersexualize and demean Indigenous women, girls and 2SLGBTQQIA people.<sup>6</sup>*

**(c) The Truth and Reconciliation Commission (TRC) Final Report**

14. The TRC Report has three calls to action that specifically refers to the CBC/Radio-Canada and its role to be reflective of Indigenous culture and languages.

*Media and Reconciliation*

*84. We call upon the federal government to restore and increase funding to the CBC/ Radio-Canada, to enable Canada's national public broadcaster to support reconciliation, and be properly reflective of the diverse*

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<sup>6</sup> <https://www.mmiwg-ffada.ca/final-report/>

*cultures, languages, and perspectives of Aboriginal peoples, including, but not limited to:*

- Increasing Aboriginal programming, including Aboriginal-language speakers.*
- Increasing equitable access for Aboriginal peoples to jobs, leadership positions, and professional development opportunities within the organization.*
- Continuing to provide dedicated news coverage and online public information resources on issues of concern to Aboriginal peoples and all Canadians, including the history and legacy of residential schools and the reconciliation process.*

*85. We call upon the Aboriginal Peoples Television Network, as an independent non-profit broadcaster with programming by, for, and about Aboriginal peoples, to support reconciliation, including but not limited to:*

- Continuing to provide leadership in programming and organizational culture that reflects the diverse cultures, languages, and perspectives of Aboriginal peoples.*
- Continuing to develop media initiatives that inform and educate the Canadian public and connect Aboriginal and non-Aboriginal Canadians.*

*86. We call upon Canadian journalism programs and media schools to require education for all students on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations.<sup>7</sup>*

## **Conclusion**

15. The ISO-BEA appreciates this opportunity to comment on CBC/Radio Canada's licence renewal. We support the renewal of CBC/Radio Canada's broadcasting licences.
16. CBC/Radio Canada's primary role in connection with Indigenous broadcasting media should be reflective and supportive of Indigenous Peoples, through its support for Indigenous creators and Indigenous media.
17. The ISO-BEA is working constructively with CBC/Radio Canada currently and we especially appreciate CBC/Radio Canada's participation in productions where CBC-Radio-Canada is ensuring Indigenous control of the production from development through to exhibition, and at all of the creative stages in between.
18. The Reports such as the UN Declaration, the MMIWG Final Report and the TRC Final Report are critically important to Canada and Indigenous Peoples while on the path to

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<sup>7</sup> [http://trc.ca/assets/pdf/Calls\\_to\\_Action\\_English2.pdf](http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf)

Reconciliation. The Reports support the right of Indigenous Peoples that we should own, operate and control and our own media, with support from the CBC/Radio-Canada who should be taking the lead in fair representation and equal airtime.

19. The ISO-BEA have requested to appear at the public hearing which will set out a blueprint for CBC/Radio Canada to follow in its support of Indigenous Peoples through its services and its support of our own sovereign Indigenous Peoples media.
20. We look forward to continuing to work with CBC/Radio-Canada and in supporting the Indigenous creators they represent and to help them take the steps to fulfill the measures outlined in this intervention.

Yours truly,

A handwritten signature in black ink, appearing to read "Jesse Went", is centered on a light gray rectangular background.

Jesse Went  
Executive Director  
Indigenous Screen Office

c.c. CBC/Radio Canada