

Recommendations for a New Consultation Process and Policy for First Nations, Inuit and Métis Broadcasting

Final Report
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Summary

This report reflects the discussions and presentations that took place at the Future of First Nations, Inuit, and Métis Broadcasting: Conversation and Convergence gatherings from February to June, 2017. The gatherings aimed to bring practitioners, policy makers and academics together as allies to prepare a context for respectful and meaningful consultation. The idea was to create or identify the terms of reference for the Canadian Radio-television and Telecommunications Commission (CRTC) review the *Native Broadcasting Policy*¹ (CRTC 1990-89), which according to its Three-Year Plan 2017-2020 was set to occur in 2018. The goal was to encourage deliberations before the CRTC initiated any procedure to ensure that any policy changes would support the development goals identified by Indigenous media activists, broadcasters, and community members. These gatherings aimed to share decision making power with the people, and to assert Indigenous rights to media democracy 'for as long as the waters flow,' as well as to propose changes to the existing Policy.

The idea for organizing regional events and a national conference was developed by John Gagnon, CEO of Wawatay Communications Society, Gretchen King, a postdoctoral research fellow at the University of Ottawa, and Chris Albinati, Ph.D. student at Osgoode Hall Law School, York University, Toronto.² They contacted University of Ottawa Associate Professor Geneviève Bonin-Labelle in the spring of 2016 to ask if she would like to try to obtain public funding for this project considering her long-standing interest in radio and broadcasting. Associate Professor Kathleen Buddle, an anthropologist from the University of Manitoba, with experience working with the Indigenous media community also joined. The five formed the Project Team. In July 2016, the Team submitted an application for a Connection Grant from the Social Sciences and Humanities Research Council of Canada and were notified that their application was successful in October of that year. From that point on, preparing plans for facilitating these gatherings began. In allocating the funds raised, more than 50% of the budget supported the organization and implementation of six events in six different regions of Canada (to pay student employees, venues and food costs, translation of materials, simultaneous translation and AV equipment) and more than 30% of the budget supported the participation (by covering travel and accommodation costs) of Indigenous people, women, and other people facing systemic challenges and barriers.

The conference series included five regional events and a three-day conference in Ottawa. The regional meetings were held in Winnipeg (26 participants), Iqaluit (17 participants), Edmonton (18 participants), Homalco First Nation (36 participants), and Halifax (14

¹ Further referred to as "The Policy"

² King and Albinati are co-founders of the Community Media Advocacy Centre, a non-profit advocacy and research organization that was working with Wawatay on the idea of hosting a national conference for Indigenous broadcasters to discuss the upcoming policy review.

participants). The three-day conference in Ottawa (over 75 participants) included 40 presentations and 3 deliberative forums on CRTC process and policy. This report summarizes some of the key contributions made by participants with regards to CRTC process and policy and Indigenous representation in the Canadian media system. It is intended to guide the CRTC as it moves forward in reviewing the current Policy and provide insight for those who are learning about Indigenous broadcasting, as well as encourage other Indigenous people and groups that are not reflected in this report to heed to the call for public participation when the CRTC officially reviews the Policy.

All participants are considered as authors of this report,³ as the people who have contributed the ideas and solutions therein. It is an exercise some members, such as Les Carpenter speaking at the Ottawa gathering (Native Communications Society of the NWT), believe should happen more frequently: “When you don't get together, you don't get to exchange ideas and talk over issues ... So, something like this should be organized ... at least once a year we should try to get together.” It is also in line with Indigenous values to attribute authorship to all people who have contributed their time, knowledge, ideas, stories and overall support to produce this work as it, ultimately, belongs to all of them. As part of this process, participants were asked for feedback on the report before it was made public.

³ With the exception of Les Carpenter and Agnes Gould, also known as Aggie Baby. Although they could not comment on the statements made after the events, the Project Team has captured their insights through the recordings and notes from the events. Les passed away on 3 July 2018 in Yellowknife. We are fortunate to have had his participation in events in Edmonton and Ottawa. Aggie passed away on 20 June 2018 in Corner Brook. We are fortunate to have archives of the insights she shared with us in Halifax.

Thank you

The Project Team thanks the following people, groups and organizations for their support for making this project a reality: Social Sciences and Humanities Research Council of Canada, Wawatay Communications Society, Community Media Advocacy Centre, CKWE 103.9, First Mile Connectivity Consortium, Forum for Research and Policy in Communications, Indigenous and Northern Affairs Canada - Strategic and Statistics Research Directorate, Media@McGill, University of Manitoba - Department of Anthropology, University of Ottawa - Department of Communication, University of Ottawa - Faculty of Arts, University of King's College, University of Alberta, Homalco First Nation Radio, Aupe Cultural Enhancement Society, CHUO 89.1, CKDU 88.1, UMFM 101.5, CFRT 107.3, l'Association des Francophones du Nunavut, and World Association of Community Radio Broadcasters (AMARC).

We would also like to thank our families, friends and the numerous volunteers who took time out of their busy schedules to help make these events a success. Some of you even shared your own money, which was beyond our expectations. Please know that we are forever grateful.

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Introduction

This report is the written culmination of the contributions made by participants during the gatherings titled “The Future of First Nations, Inuit, and Métis Broadcasting: Conversation and Convergence.” It is our aim to present a document that participants, policy makers, and interested parties can use to recount the information shared at these gatherings and provide a platform to continue conversations about the future of Indigenous communications policies in Canada. This report includes a narrative account of the conversations that took place during the gatherings across Canada,⁴ culminating in a three-day conference in Ottawa, structured around key Policy and process themes. It is our aim to attribute these contributions to the participants who composed these gatherings. Whenever possible we include the name of the contributor, and the location where they spoke, in an effort to respect the knowledge that was shared at these gatherings. However, there are likely instances where multiple individuals echoed common themes, or for a variety of reasons were not cited in this report. With our desire to uphold the highest degree of authenticity, if you, as a reader, flag any instances where you recognize that someone is not being cited for their contribution please reach out to a member of the Project Team (information provided at the end of the report).

The following guiding questions were posed at each of the gatherings, which informed the discussions we recount here:

The Indigenous Broadcasting Sector

- ❖ What is the state of the Indigenous broadcasting sector as identified by Indigenous broadcasters?
- ❖ What do Indigenous Peoples want and need from the Indigenous broadcasting sector?
- ❖ What urgent challenges need to be addressed by changes to policy in order to ensure the Indigenous broadcasting sector can fulfill those needs?
- ❖ What insights do key stakeholders working in the areas of Indigenous issues, communications law, and media policy offer on the ways forward?
- ❖ What investments and skills are needed for the reclamation and preservation of regional languages and to implement a sustainable future for First Nations, Inuit, and Métis broadcasting?

⁴ Summaries of the five regional events are available at:
<https://ruor.uottawa.ca/handle/10393/38399> (Edmonton),
<https://ruor.uottawa.ca/handle/10393/38401> (Iqaluit),
<https://ruor.uottawa.ca/handle/10393/38403> (Halifax),
<http://hdl.handle.net/10393/38400> (Homalco First Nation),
<http://hdl.handle.net/10393/38404> (Winnipeg)

CRTC Process and Policy

- ❖ How would you like the CRTC consultation process to be conducted?
- ❖ How should the review process itself be changed?
- ❖ What should the policy entail?
- ❖ What are the elements to include or exclude?
- ❖ What changes would be required to the Broadcasting Act to ensure the policy is upheld?

The Project Team initiated a Call for Proposals in January 2017 which attracted over 60 presentation proposals. In an effort to answer the key research questions posed above, the Project Team organized four one-hour sessions dedicated to discussing CRTC policy and process at the regional events. After each regional event, the Project Team produced a summary report, translated into French and English, which was published online and distributed to participants. In Ottawa a total of three one-hour sessions were dedicated to discussing CRTC policy and process. In total, the Project Team produced 5 summaries of the regional events and archived 47 hours of data.⁵

This report is organized by theme and includes a description of how topics were brought up and discussed, followed by recommendations. The first topic of discussion is the process that the CRTC uses to create and enforce policies related to Indigenous broadcasting in Canada. This section includes recommendations for the CRTC to improve its policy-making and consultation processes, especially in the context of a review of the *Native Broadcasting Policy*.

The next section discusses the issue of representation, both in the media ecosystem and in the institutions that regulate and determine funding for Indigenous broadcasting and production. Key issues in this section include the need for Indigenous representation at the CRTC, the need for formalized Indigenous broadcasting networks, and the importance of challenging harmful and stereotypical representations of Indigenous peoples in the media.

This report also discusses the intricacies of licensing Indigenous stations, including problems with the current model and proposals for new modes of licensing Indigenous broadcasters.

Next, the report discusses the importance of prioritizing Indigenous-language broadcasting and the merits of funding Indigenous-language content production. This is directly related to the section on Programming, which stresses the need for more research about community

⁵ These archives can be found at <https://archive.org/details/FutureFNIMBroadcasting>.

needs, the importance of having flexible policies in the future, and the possibility of instituting Indigenous content quotas.

The report concludes with a section about the importance of engaging young people in both broadcasting, production, and most importantly, in the policy-making process. Finally, while the gatherings explicitly focused on issues in the Indigenous broadcasting sector, in its traditional form, we also consider the innovations by Indigenous peoples in digital forms and discuss the importance of campus and community, commercial, and public broadcasters to pursue an agenda of reconciliation in collaboration with Indigenous broadcasters.

Process

The *Native Broadcasting Policy* needs a review. Despite being featured in at least 5 of the CRTC's 3-year plans,⁶ the Policy has not been subject to a public hearing or substantive review since its introduction in 1990 (CRTC Public Notice 1990-89). Participants at all of the meetings suggested that the Policy review process should go beyond the constraints of the current Policy framework. For instance, in Winnipeg it was suggested that the Policy review should reflect the need to protect Indigenous languages. Claudine VanEvery-Albert, of CKRZ, commented on the Policy, stating that in its current form it is not written like a policy at all. By writing the *Native Broadcasting Policy* in this way, and by allowing it to go without review for over 28 years the CRTC shows a lack of respect for Indigenous peoples. VanEvery-Albert said, "We think community and we think sovereignty. Now is our chance to write into it the things we see are important."

Mike Metatawabin, Chairman of the Board and President of the Wawatay Native Communications Society, mentioned that the Policy needs to work for the people and what they are trained to do. He said that the government and the CRTC should commit to a new Policy because of the Calls to Action from the Truth and Reconciliation Commission (TRC) of Canada and that it should make room to protect intellectual property and knowledge against cultural appropriation and the piracy taking place within Indigenous communities. He mentioned the importance of sitting down with Indigenous people to build a Policy, to make a commitment to show respect, and protect languages and oral traditions.

Recommendation: CRTC should conduct meaningful consultations with Indigenous communities before, during, and after the policy review process.

Recommendation: Need to consider forums outside of the CRTC's normal rules and procedures for Indigenous broadcasters to shape the Policy.

⁶ Auer, M. (2017) 'Re: Notice of hearing, Broadcasting Notice of Consultation 2017-1'. Ottawa: Forum for Research and Policy in Communications, p. 4. Available at: <http://crtc.gc.ca/eng/archive/2015/2015-399.htm>

Recommendation: The Policy must center the sovereignty of Indigenous Nations and must be respectful when addressing nationhood and sovereignty.⁷

Consultation Process

Face-to-Face Meetings in Communities

In Edmonton, Jodi Stonehouse, producer and broadcaster of *Acimowin*, suggested that the CRTC review should include face-to-face community visits by the CRTC. In Halifax, Annie Clair, host of the *Pjilasi Mi'kma'ki* podcast, also said that for the CRTC to know what is really going on in Indigenous communities, they need to “speak with communities face-to-face.” Laith Marouf, from the Community Media Advocacy Center (CMAC) echoed this in Ottawa, stating that the CRTC should visit local stations during the policy review process. Lorna Roth, Professor at Concordia University, also remarked on the need for CRTC staff to be trained about the unique needs of rural and remote communities, and that having staff going to these places is an important vehicle for staff to learn about their specific needs.

Indeed, the Project Team found that the importance of having face-to-face meetings was reiterated often either formally or informally by participants at the various gatherings. These meetings would need to take place in regions and not only in large centers as this would reduce the participation of small broadcasters who would otherwise have various barriers to travel (for example: lack of money for travel and subsistence costs, no replacement staff if they were to leave, need to care for families, feel they may not be able to conform to the formalities of CRTC processes). At the very least, the CRTC should make an effort to communicate with the broadcasters directly and not expect them to respond to an open call as in usual policy review processes as they do not feel these are addressed to them in a way that they would feel empowered to participate.

Recommendation: The CRTC should hold face-to-face consultations within Indigenous communities. Consultations must accommodate oral traditions within consultation process to allow Indigenous people, especially elders, to say what they have to share and be heard without interruptions.

Recommendation: The CRTC should consider alternative ways to put out their call when consulting with Indigenous people as the current formal process has strict time constraints, requires written participation, and is facilitated in French and English only.

⁷ The Policy and the Broadcasting Act need to conform with the Constitution and international agreements such as the United Nations Declaration on the Rights of Indigenous People as well as the Convention for the Protection and Promotion of the Diversity of Cultural Expressions. The Policy needs to be respectful, needs to address nationhood, sovereignty of Indigenous people, and consider the constitutional duty to consult and seek the consent of Indigenous nations.

Recommendation: Time and place for conducting consultations is important. The CRTC should consider conducting consultations in all regions of Canada, including rural, remote, Northern, and isolated communities, within spaces that are off university campuses, at events hosted over weekends and that are welcoming to Indigenous broadcasters and participants. Also, a meal (i.e. more than just snacks) should be provided as part of consultation activities.

Recommendation: The use of Indigenous languages as a way to encourage participation would also be of value to the CRTC.

Using Radio for Consultations

In Iqaluit, Claude Grenier, the former Executive Director of Taqramiut Nipingat Inc. proposed an innovative way to engage communities in the policy review process, suggesting that radio information sessions and call-in shows could serve as a means to conduct these sessions and engage the audiences of Indigenous broadcasters. This would be particularly helpful in regions with radio stations that lack access to affordable and fast Internet connections. The online and mail-in consultation processes typically used by the CRTC may not be sufficient for hearing the views of rural, remote, Northern, and isolated populations and the CRTC would do well to explore other mediums for engaging with communities.

Recommendation: Consider holding call-in shows and information sessions on local radio stations as part of the consultation process.

Preparing for Meetings and Consultations

In Iqaluit, Jack Anawak, an Inuit Elder, emphasized the need for the consultation process to be preceded with information-sharing in order to ensure that people have the ability and appropriate information to participate fully in consultations, stating: “People often accuse their government of not consulting them or having a fly-in short meeting, then leaving again. So much more could be done with speakers addressing the topic ahead of the consultation meetings to ensure full participation on the part of those who are interested.” Chris Albinati said that the CRTC must not impose its views on communities and that invitations must be extended to the CRTC before they enter Indigenous communities.

Recommendation: The CRTC should provide communities with information prior to meetings so that they may participate fully in the consultation process.

Recommendation: The CRTC must receive approval to enter communities before the consultations take place there.⁸

Representation

Representation at the CRTC

Regarding the consultation process, Claude Grenier suggested that the CRTC should form a policy review committee with one or two members of each of the 13 Indigenous communication societies and others, as well as members of the CRTC. This committee could open up public consultations within these communities and make process and policy recommendations to the CRTC.

Recommendation: CRTC should consider forming a policy review committee with members from Indigenous communication societies, others including representatives from licensed and unlicensed broadcasters, and members of the CRTC. This Committee could make policy recommendations to the CRTC and other relevant Government Ministries and help to facilitate public consultations in communities. Indigenous peoples should have a seat at the table and involved in putting the Policy together.

Participants in Winnipeg suggested that the CRTC should make an effort to include Indigenous representation before the review process begins. Furthermore, Indigenous protocol training should be completed by the Chairperson, Commissioners, and CRTC staff, especially those working on any part of the policy review process.⁹ Protocol training, for example, could involve a series of workshops where participants would learn about the role of Indigenous media in Canada; the diversity of cultures and the importance of language among indigenous peoples, as well as traditions and practices that facilitate communication and negotiation. Les Carpenter from the Native Communications Society (NCS) of the NWT remarked that staff must become aware of geography, culture, languages, and the unique struggles communities face.

Recommendation: CRTC staff should include Indigenous representation before reviewing the Policy.

⁸ Consultations should include the “right of refusal” throughout the CRTC consultation process with Indigenous broadcasters to encourage dialogue and not impose any part of the process (see Chris Albinat’s remarks on precept ambiguity at 08:28:30 here: <https://www.youtube.com/watch?v=EX8qQuWNLw>)

⁹ Genevieve Bonin-Labelle in Ottawa also mentioned the importance of training for CRTC staff.

Recommendation: Before reviewing the Policy, protocol and sensitivity training should be provided to the Chair, Commissioners, and CRTC staff.

Les Carpenter suggested that CRTC should build an ‘Aboriginal arm’ of the Commission that is made up of existing organizations and broadcasters, as well as those without stations.¹⁰ Carpenter suggested the need for a Commissioner to represent the three territories, to which Monica Auer, Executive Director of the Forum for Research and Policy in Communications, responded, “Why not one for each?” There is currently a lack of Indigenous representation at the CRTC, signaling the need for Indigenous participation in and beyond the CRTC.

Kim Logan from CKRZ recommended having an Indigenous board that would negotiate with Indigenous broadcasters would help the sector get beyond the “struggle to survive.” In Edmonton, Les Carpenter said that, in practice, Canadian Heritage determines how Indigenous broadcasters can meet the needs of their audiences, not Indigenous peoples themselves, through the allocation of funding. Carpenter found this ironic given that the *Policy* says that Indigenous peoples are best suited to determine what kind of programs are needed. He would like to see an Indigenous arm of the organization opened to deal separately with Indigenous issues.¹¹ Claudine VanEvery-Albert said that Indigenous peoples need ‘a seat’ at the CRTC in order to decolonize the organization itself.

Recommendation: Indigenous peoples should be represented at the CRTC, possibly through an official committee¹² or by having an Indigenous arm of the organization. Such an organization could help to develop, evaluate, and enforce policy, perform ongoing consultations and reviews, help to allocate funding to Indigenous broadcasters and artists, and conduct research to support the CRTC’s decision-making related to Indigenous peoples living in Canada.

Kristiana Clemens from CMAC suggests that we must move beyond colonial policy-making towards centering self-determination of Indigenous peoples in media and broadcasting. In her presentation, Clemens traced the history of broadcasting policy in relation to Indigenous peoples. The *Broadcasting Act, 1968* created the CRTC and was focused on controlling Canadian media ownership and production. However, by pursuing a united Canadian identity the policies following the 1968 *Act* were largely colonial and pursued assimilation

¹⁰ Heather Hudson also suggested this in Ottawa.

¹¹ For example, in the United States the Federal Communications Commission has a unit to deal specifically with the unique legal and financial issues that Indigenous peoples face related to broadcasting and Internet development (Loris Taylor in Ottawa).

¹² The CRTC has undertaken this type of outreach in the past. In 1980 the Therrien Commission conducted consultations in Northern, rural, and remote communities. The outcomes of these consultations appear in the 1980 report, *The 1980s: A Decade of Diversity Broadcasting, Satellites and Pay-TV*.

of Indigenous peoples 'into Canadian society.' This legacy has not been addressed by the CRTC or Canadian Heritage, which arguably continues to ignore calls for Indigenous representation among Commissioners. Chris Albinati added that this colonial nature is evident in the way the CRTC makes its policies. Indigenous peoples are not part of the organization, and are prevented from even defining for themselves what the meaning of 'Native' is.¹³

Recommendation: There is a need for Indigenous representation within all levels of the CRTC, including among Commissioners.

Recommendation: Indigenous peoples should be allowed to define their needs for themselves and take part in a policy-making process that centers self-determination.

Indigenous Broadcasting Networks

Banchi Hanuse, Station Manager of Nuxalk Radio, called for an Indigenous radio network¹⁴ "where we can all come together and share programming that can help strengthen us all."¹⁵ John Gagnon emphasized the need for a network to connect stations and to build on the work done provincially, but that it would be a good idea to band together from coast-to-coast-to-coast to force the federal government to increase funding.

There are myriad benefits of an Indigenous broadcasting association including:

- Assisting stations with the lengthy paperwork required for funding from organizations such as the Canadian Publishing Fund, Canadian Heritage, and the Canadian Media Fund, and paperwork required by the CRTC and Innovation, Science, and Economic Development, to launch and run a station.¹⁶
- Remarking on the idea of aligning with other stations to create an Indigenous radio network, Banchi Hanuse emphasized that such an organization could prioritize "diverse and distinct languages, upholding history, and healing."
- Allow experienced and resourced broadcasters like Wawatay to help other stations with the building and maintenance of infrastructure.¹⁷
- Create an open forum to discuss policy and share experiences.¹⁸

¹³ This is in reference to the CRTC *Native Broadcasting Policy*, which was written without consultation of Indigenous communities and puts forth definitions of 'Native' stations and content.

¹⁴ The nature of this network would need to be defined by the interested parties themselves, as it could be for the distribution of content, an ownership group, or both.

¹⁵ At Homalco First Nation

¹⁶ In Halifax Maureen Googoo mentioned this.

¹⁷ Mike Metatawabin in Ottawa.

¹⁸ Les Carpenter in Ottawa.

- An advocacy group can state demands clearly to parliamentarians and the CRTC. An organized lobbying group would have the ability to advocate for the collective interests of Indigenous broadcasters and could ask the CRTC difficult questions, something individuals and station managers may find risky.¹⁹
- Training, networking, and content sharing should be key components of collaboration.²⁰
- Allow content to be shared regionally and nationally.
- An organization could secure legal and auditing firms to represent all Indigenous broadcasters at the CRTC and Canadian Heritage.
- Raise awareness among broadcasters of the CRTC's structure, rules and regulations.

Rob McMahon, a Professor at the University of Alberta, shared the experiences of the First Mile Connectivity Consortium, a not-for-profit organization that is made up of members deploying community broadband in First Nations communities. The organization provides a united front to go before the regulator as an advocacy group. FMCC also provides guides for communities regarding federal funding for community broadband initiatives.

Loris Taylor, President and CEO of Native Public Media²¹ in the United States, shared the experience of her organization, which provides leadership, centralized resources, and support in obtaining broadcasting licenses. These efforts include sending teams to stations to help them to remain compliant. Native Public Media also provides support to help stations remain relevant through digital literacy training and programs for young people to ensure that stations continue to build capacity.

Recommendation: Broadcasters should join together to create an Indigenous Broadcasting Network to increase and share the creation of programming by and for Indigenous peoples, centralize funding and administration, provide networking and training opportunities, and create a forum to represent Indigenous broadcasting interests in Canada.

Indigenous News

A common point of discussion at all of the gatherings was concerning the misrepresentation of Indigenous peoples and stories in the mainstream media. For example, Annie Clair said

¹⁹ Monica Auer in Ottawa.

²⁰ Kristiana Clemens in Ottawa.

²¹ <https://www.nativepublicmedia.org/about>: NPM, as a national center, provides leadership, centralized resources, and strategic and coordinated approaches to successfully strengthen the Native Broadcast System. These services include broadcast licensing guidance, Federal Communications Commission (FCC) and Corporation for Public Broadcasting (CPB) compliance, station operations guidance, legal guidance, broadcast leadership training and education, and telecommunications and communications policymaking.

she wants to tell Indigenous stories because she feels that even people on reserves were not being told the truth about what was happening to Indigenous people. For example, news coverage of the fracking protests happening in New Brunswick were untrue. She also said she was never told about the 60s scoop and residential schools.

There is a need for community, commercial, and public service broadcasters to include more Indigenous peoples in news and entertainment productions. However, this does not preclude the need for broadcasting by and for Indigenous peoples in the form of an autonomous Indigenous broadcasting sector in Canada. In Ottawa, John Gagnon remarked upon the important role that reporters and broadcasters in the Indigenous broadcasting sector play in producing news for their local communities. These local producers could also play an important role by providing news to commercial and public broadcasting services.

Les Carpenter said that in the mainstream news Northern issues, such as climate change, are marginalized because of media centralization in Southern cities. John Schertow, Editor of *Intercontinental Cry*,²² emphasized the need for local Indigenous media about politics, resistance, and community-building, noting that unfortunately there is very little funding available for Indigenous newsrooms.²³ To strengthen reporting by and for Indigenous peoples, journalists should be paid a living wage,²⁴ and a guide for Indigenous journalism should be available for those covering stories in Indigenous communities.²⁵ Another topic that emerged from discussions, particularly in Iqaluit and Ottawa, is the need for best practices to be developed for reporting on suicides.

Recommendation: Strengthen links between local Indigenous journalists and Indigenous, commercial, and public broadcasters.

Recommendation: Indigenous journalists should be paid a living wage and funding should be provided for Indigenous news production.

Recommendation: There is a need to develop industry guidelines on suicide reporting which can start with training for journalists.

Recommendation: Develop an Indigenous Journalism Manual of Best Practices. This could include recommendation such as, protocols for interviewing Elders and Indigenous peoples,

²² <https://intercontinentalcry.org/>

²³ Funding is generally allocated on a project-by-project basis and limited to a few thousand dollars per year, with no core funding available.

²⁴ Maureen Googoo in Halifax.

²⁵ The CiTR Indigenous Collective proposed this in Homalco First Nation.

focusing on topics that strengthen sovereignty, solidarity, and language reclamation, and creating welcoming studio spaces to encourage as many voices as possible on the air.

Licensing

In Ottawa and Homalco First Nation the CRTC's right to license stations on a First Nation's territory was questioned. For instance, Banchi Hanuse of Nuxalk Radio (a Type A exempt station), said that they received approval from their hereditary leadership, rather than the CRTC, to operate the station. For Hanuse, the station needed to be independent and sovereign for the Nation to survive, for the land and waters to be healthy, and to maintain the language. Monique Manatch echoed this sentiment regarding the radio station in Rapid Lake where the community agreed that they did not want a license from the CRTC, which they viewed as a colonial imposition on their sovereignty as a First Nation. However, unlicensed stations are not eligible for most funding making this a difficult endeavor. Kristiana Clemens suggests that the CRTC should have an option to deregulate²⁶ stations that broadcast on treaty lands and give communities greater control of their airwaves.

Recommendation: CRTC should recognize licensing through Indigenous governance structures.

Claudine VanEvery-Albert remarks that the current Policy recognizes only two types of stations when there are probably many more. Throughout the meetings it became apparent how diverse the Indigenous broadcasting sector is. Location, audience, and funding models, create very different conditions for licensed and unlicensed stations, signaling the need for a flexible policy in the future. For example, CKRZ located in Ohsweken, Ontario is funded through advertisements, while other stations are funded through Federal programs, creating very different business models. There are some Indigenous stations that have little to no advertising revenue of government funding and instead use radio bingo to fund their operations. Kim Logan of CKRZ said that perhaps there should be many types of radio stations, such as a Native Type C, "One that we can develop the criteria for," she said. Logan also pointed to an assumption in the Policy that Band Councils fund radio stations, but that this is not always the case.

Recommendation: Create a "Type C" station in the Policy that is more flexible to meet the unique advertising needs of stations.

On the topic of spectrum, Monica Auer suggested that Indigenous peoples should have first pick, or at least guaranteed access to spectrum everywhere in Canada. Other participants

²⁶ The *Broadcasting Act* does not permit the CRTC to deregulate stations as suggested, however it can exempt broadcasters from regulations.

argued for sovereignty over spectrum, including Adriana Sofia Labardini, the Commissioner from Mexico's regulatory body, who presented about the allocation of spectrum as a right for Indigenous nations in that country.

Recommendation: Re-evaluate the way that spectrum is managed in Canada. This includes considering the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the right of Indigenous people to access spectrum. It may also be determined that Indigenous peoples have the right to control the spectrum themselves, and thus there would be no need for the CRTC or Innovation, Science, and Economic Development Canada to license Type B stations or exempt Type A stations.

Funding

There is a need for sustainable and independent resources for Indigenous media.²⁷ In the past, the CRTC has mandated that Indigenous stations be non-profit and thus rely heavily on public funding. However, the CRTC does not specify where this funding should come from or provide mechanisms that are independently and stakeholder managed, such as the Community Radio Fund of Canada.

Stephen Puskas from *Nipivut*²⁸ spoke about an issue with the Northern Aboriginal Broadcasting funding program which is that, although it provides funding for Inuit programming in the North, in the South programming is dominated by First Nations content, despite 25% of the Inuit population living in the South. Therefore, Inuit broadcasters in the South may find it difficult to secure funding. Additionally, Indigenous broadcasters south of the arbitrary Hamelin Line are cut off the Indigenous Broadcasting fund managed by Canadian Heritage.

Section 3(1) of the *Broadcasting Act, 1991* states that, "programming that reflects the aboriginal cultures of Canada should be provided within the Canadian broadcasting system as resources become available for the purpose." Unfortunately, it is unclear exactly where these resources should come from, nor is there any guidance from the courts as to how they should be provided.²⁹

Monica Auer pointed out that the CRTC is aware that Indigenous stations operate with a fraction of the budget of commercial stations despite the added duties that these stations are asked to take on. For example, the *Native Broadcasting Policy* states that Indigenous stations

²⁷ In Winnipeg, Kim Wheeler, Rosanna Deerchild, and Gary Farmer all emphasized the need for sustainable and independent resources for Indigenous media.

²⁸ <https://ckut.ca/en/content/nipivut-0>

²⁹ Monica Auer in Ottawa

are required to provide for the “specific cultural and linguistic needs of their audiences, while creating an environment in which aboriginal artists and musicians, writers and producers, can develop and flourish. In this way aboriginal broadcasters can provide an element of diversity to counter-balance and complement non-native programming source” (CRTC Public Notice 1990-89). Furthermore, some Native Type B stations are given the resources to survive, but not necessarily enough to thrive.

Monique Manatch suggested that there should be funding sources for unlicensed stations and communities who want to broadcast without submitting to “imposed federal laws.” For stations that don’t fit into “bureaucratic boxes,”³⁰ it can be difficult to secure funding as they cannot access funds for licensed stations and community radio. Laith Marouf said that, in fact, the only public funding for Indigenous radio comes from Canadian Heritage.

Kristiana Clemens said that we need expanded, accountable, and sustainable funding to support community-based non-profit Indigenous-controlled media initiatives.

Recommendation: Provide suitable and sustainable resources for Indigenous stations and broadcasters. This includes appropriate funding for infrastructure, equipment, training, and technical supports.

Recommendation: Policy should link funding to the goals of reconciliation and equality for Indigenous people.

Recommendation: Funding decisions must reflect the unique challenges that Indigenous stations face, and the significant responsibilities with which they are tasked (e.g. language protection, local reporting, community building initiatives, costs associated with operating in remote locations).

Issues with the Current Model

In Edmonton, Les Carpenter said that Canadian Heritage determines funding, which means that Indigenous broadcasters themselves are not the ones choosing how to meet the needs of their audiences. In Ottawa he said that if projects were funded on importance rather than population or reach, Aboriginal broadcasters could fulfill the mandate given to them by the CRTC. Furthermore, greater collaboration during the application process between funding agencies and broadcasters could improve the outcomes for communities.³¹ The framework for funding stations should be streamlined which could free up time for station managers to focus on serving their communities rather than spending undue time on lengthy

³⁰ Debbie Brisebois in Ottawa

³¹ Julia Szwarc in Ottawa.

applications. Furthermore, despite the increasing demand for funding from Heritage Canada, there has been no increase to the Northern Aboriginal Broadcasting fund. There are now more Indigenous broadcasters competing for the same amount of funding meaning that broadcasters are now being forced to do more with less funding.³²

Recommendation: A fair and suitable system must be implemented for allocating funding. This should include evaluating and expanding the Northern Aboriginal Broadcasting fund, including eliminating the colonial Hamelin Line that cuts off Indigenous broadcasters from Heritage funding, and establishing a fund run by Indigenous broadcasters.

Recommendation: Funding mechanisms must be flexible and recognize the diversity of First Nations, Inuit, and Métis people living in urban, rural, remote, Northern, and isolated regions of Canada. Funding must be stable, correlate the needs of all licensed and unlicensed Indigenous broadcasters, and account for the rising costs of running a station.

Funding in the North

Claude Grenier said that the Northern Aboriginal Broadcasting fund has offered the same funding since the 1990s.³³ He would like to see Canadian Heritage make a 5-year agreement for funding in order to ensure stability. Elder Jack Anawak said, “In short, I want to see a strong network of local community radio stations with all the equipment they need, the training for the staff and the basic expenses for their operation covered.”

Recommendation: Increase funding for Northern broadcasters in accordance with the rising cost of operating a radio station.

Recommendation: Increase the length of funding agreements in order to provide stations with stability and the ability to build capacity.

Advertising

Kim Logan discussed the challenges that occur by determining limits on advertising set out in the Policy. Logan suggested that they should be eliminated, but that ad costs should be kept to a minimum, as the goal should be to inform communities. There are too many caps and restrictions, she said, when the services are for the community.

Carolyn King, President of SONICS Inc, from CKRZ commented on the advertising requirements of the current Policy saying that, “when we as a Native B station are limited to 5 minutes of advertising yet we must meet the obligations of a commercial station is absurd.”

³² John Gagnon in Ottawa.

³³ Madeleine d’Argencourt echoes this in Iqaluit. John Gagnon also mentioned this point in Ottawa.

Native Type B licensed broadcasters are asked to fulfil a number of obligations set out by the CRTC, yet many of them struggle to secure enough funding to do so. Stations located in markets that can support advertising could benefit from more liberal allowances.

Recommendation: Evaluate the limits on advertising and learn how to better serve Indigenous communities. Policy should not presume Band Councils contribute financially to stations, or that stations necessarily have access to other funding.

Language

Language Broadcasting

In all of the gatherings, participants stated the importance of considering Indigenous languages in future policies. Annie Clair said that language “makes us who we are.” She concluded there is a need for Indigenous radio stations to be broadcasting in the language, as the language is what is needed to reaffirm the culture.

Many broadcasters³⁴ said that they were actively using their stations to keep their languages alive and relevant. Banchi Hanuse told the group in Homalco First Nation that Nuxalk Radio produced shows to teach the Nuxalk language to listeners. At CKWE Cory Whiteduck has been using the station to promote the Algonquin language. Whiteduck brings Elders in the Anishinabeg community at Kitigan Zibi to the station in an effort to help keep the language alive. One of the barriers to this effort is that some language-speakers are hesitant to use the language, especially on-air, due to trauma experienced in residential schools. Furthermore, some speakers feel that the language is their own and not something to share with the world. Others in the community are comfortable sharing the language and Whiteduck has used the station to encourage use of Algonquin.³⁵ Claudine VanEvery-Albert told participants in Ottawa that, “our languages hold a deeper understanding of who we are as a people,” and that radio, because of its locality, is the best tool for protecting languages.

John Gagnon remarked that although the Truth and Reconciliation Commission Calls to Action focused on CBC and Aboriginal Peoples Television Network (APTN), rather than Indigenous radio stations, Wawatay Communications Society feels responsible to fulfil the calls to reclaim language.

Recommendation: Focus on Indigenous language broadcasting in the Policy.

³⁴ John Gagnon, Mike Metawabin, Monique Manatch, and Banchi Hanuse among others.

³⁵ Creative initiatives include an ‘Algonquin Word of the Day’ and a call-in quiz in which participants must answer in Algonquin.

Funding for Language Content

In Ottawa, Corey Whiteduck shared his experience managing CKWE, remarking that station managers are often asked to go ‘above and beyond,’ especially in initiatives to promote use of Indigenous languages. CKWE wants to produce and broadcast more Algonquian-language content which is a struggle given that their funding is limited to radio Bingo because they compete for advertising with the local French station.

Les Carpenter says that Indigenous communities know how to best protect and promote the use of their languages. What they need is government funding and support, but the design and implementation of these programs should be up to the Indigenous communities themselves. Carpenter says that Canadian Heritage recognizes that broadcasting is an important tool for language preservation and that Indigenous broadcasters should be brought in to discuss this issue. Les Carpenter added that the funding process must be transparent.

Recommendation: To sustain potential quotas for Indigenous content there is a need to fund content in Indigenous languages.

Recommendation: Prioritize funding for Indigenous-language content production. Include Indigenous peoples in these conversations and consider allowing them to co-manage a fund to support the creation of Indigenous-language programming.

Programming

Need for Research

Claude Grenier said that the CRTC should consider producing a new audience survey to find out what people want in their communities. Jana Wilbricht, a researcher and PhD candidate from the University of Michigan, suggested that funding should be provided to communities to conduct their own audience research, allowing communities to decide what they want to know about themselves.

Recommendation: Conduct an audience survey for Indigenous peoples to identify priorities for funding and policy. In addition, communities should be provided with the tools and resources to conduct surveys and studies themselves, allowing them to contribute to a more appropriate policy and learn more about their communities in the process.

Flexibility

In Edmonton, Molly Swain, co-host of the podcast *Métis in Space*, emphasized the need for any future policies to be flexible in order to keep up with technological advancement and innovation. Such a policy should focus on building the capacity of Indigenous broadcasters and creators, rather than on controlling how Indigenous peoples create media. In a similar vein, Les Carpenter suggested that the Policy could be a ‘working document’ that is produced through a consultation process with Indigenous peoples and that is open to contributions from Indigenous broadcasters.

Noting the rapid advancement in communications technologies, Rob McMahon suggested that a new Policy should use technologically-neutral language so that it remains relevant.

Recommendation: The Policy and process should be flexible to meet the needs of Indigenous broadcasters. This includes keeping-up with technological innovations.

Content Quotas

In Winnipeg, Miles Morrisseau, a media producer and journalist, suggested the need for Indigenous content quotas to promote Indigenous music. A proposal for 10% spoken-word and 40% Indigenous music content for licensed Indigenous broadcasters was put forward. It is also be important for commercial and community broadcasters to work towards reconciliation, which could be put into action by mandating all non-Indigenous stations to air between 5% and 10% Indigenous music and 2% Indigenous-language programming. In Ottawa, Monica Auer questioned why serving the needs and interests of Indigenous peoples is only up to ‘Native’ stations, suggesting that commercial stations should also be airing Indigenous content.

Recommendation: Consider implementing content quotas for Indigenous music and language programming. For example, Indigenous broadcasters should be expected to broadcast 10% of their spoken word content in Indigenous languages and 40% Indigenous music.

Recommendation: Require non-Indigenous stations to air between 5% and 10% Indigenous music and 2% in-language programming.

Training

Salome Avva from CBC North, Anne Crawford a member of the board of directors of APTN, and Jack Anawak stressed the need to invest in training in the North. Training and retaining staff are challenges that many broadcasters mentioned. Les Carpenter attributes this to the markets in which many Indigenous broadcasters work, where both financial and human

resources are limited. Individuals working for Indigenous broadcasters are often underpaid and are frustrated with being paid low wages for going ‘above and beyond.’³⁶

Recommendation: There is need to invest in training, especially for young people to engage in broadcasting. Support mechanisms must be found to make local training available, especially to train and retain young people.

Recommendation: Funding should be made available to train broadcasters to speak Indigenous languages on-air, to hire language teachers, to pay speakers to produce programming.

Engaging Youth

Participants in Iqaluit,³⁷ Edmonton,³⁸ Winnipeg³⁹, Homalco First Nation, Halifax,⁴⁰ and Ottawa expressed the need for future policies to empower young people to engage in broadcasting and content creation. To pursue this goal, it may be important for the CRTC to engage youth during the policy-making process.⁴¹ Aggie Baby,⁴² a producer and announcer of Membertou Radio, likened engaging young people in media to ‘planting a seed.’ It may be difficult to engage youth in the policy process, but it can be done through innovative mechanisms. For example, getting young people to learn things indirectly and giving them a challenge to find “the loopholes in policies” could be productive methods to engage them in the policy process. In Halifax, Aggie Baby said the toughest thing to tackle with youth is policy. “Let’s talk about the policies they care about,” she said, “like not wanting to play music that promotes suicide or playing music that opposes cyber bullying.”

Recommendation: It is important to engage and include youth in the policy process. The CRTC should consider creative mechanisms to engage youth at the beginning and in each part of the policy process.

Recommendation: Policy should focus on the need to build capacities, particularly in young people, in ways that do not limit Indigenous people’s ways of making media.

³⁶ Les Carpenter in Ottawa

³⁷ Jack Anawak.

³⁸ Molly Swain and Chelsea Vowel.

³⁹ Jim Compton, Robert Falcon Ouellette, and Leonard Monkman.

⁴⁰ Aggie Baby.

⁴¹ Molly Swain and Chelsea Vowel in Edmonton.

⁴² In Halifax.

Recommendation: The CRTC should be aware of the role that youth play in their specific communities and the role of youth groups. Not all youth have the same ability or desire to participate in activities within their communities for a variety of reasons.

Digital Media, Campus and Community, Commercial, and Public Broadcasters

Digital Media

Podcasters Molly Swain and Chelsea Vowel of *Métis in Space* in Edmonton, and Ryan McMahon in Ottawa, emphasized the ways in which First Nations and Métis people are creating original content that tells the stories and unique perspectives of Indigenous peoples in Canada. Ryan McMahon's "Indian and Cowboy" podcast media network launched in 2014 and supplies technological labour and network support to syndicate podcasts made by and for Indigenous people. Podcasting has proven to be an efficient and versatile medium, and because podcasts and online content are not regulated by the CRTC or broadcasting codes, creators have great liberty to do with it what they wish. Unfortunately, Swain notes that often Indigenous podcasts are categorized as "niche," thereby limiting their audiences.

Swain and Vowel echoed a common sentiment discussed by radio broadcasters: The need to involve youth and Elders in podcasting. Both podcasting and radio provide an ideal medium to circulate Indigenous stories and oral traditions. However, creators must be careful to respect protocols surrounding who can tell what stories and in what languages. In Halifax, John Gagnon remarked that stations need to keep up with technology so as to reach the youth.⁴³ Streaming content through Internet connected technologies can help stations to share content and reach broader audiences.

In Edmonton, Rob McMahon emphasized the strong connection between digital content and connectivity and that the Policy should reflect this. In rural, remote, Northern, and isolated communities there is great need for Internet access for cultural and entertainment content, but also to provide essential education and health services.

On a related note, participants in Iqaluit noted the unfortunate irony that Southerners, because of their superior telecommunications infrastructure, can more easily access Inuit content than the Inuit living in the North. A future Policy should reflect the innovations of Indigenous peoples creating content for distribution over the Internet. The Policy must prioritize connecting First Nations, Inuit, and Métis people in rural, remote, Northern, and isolated regions, so that they may freely access the online content that reflects their unique languages, worldviews, and cultures.

⁴³ Carolyn King expressed a similar sentiment in Ottawa.

Corey Whiteduck expressed the need to digitize archives⁴⁴, especially those in the Algonquin language (e.g. Algonquin legends).

Recommendation: Consider convergent and digital media in the Policy. Rather than having a ‘radio and television’ policy, a more flexible media or communications policy could consider the potential that digital distribution has for circulating Indigenous content.

Recommendation: Create funding for archiving and digital content distribution, particularly for Indigenous-language content.

Campus and Community Radio Stations

Campus and Community radio stations have played an important role in airing popular and innovative Indigenous content. Stations such as CJUM in Winnipeg, CJSR in Edmonton, CJMP in Powell River, CiTR and CJSF in Vancouver, CHLY in Nanaimo, CFRT in Iqaluit, CKDU in Halifax, and CKUT in Montreal, have provided a space for broadcasting original Indigenous programs. Examples of such shows include, Devin Pielle’s program *Tla-Amin Word of the Day* on CJMP which is helping to revitalize the Tla’Amin language, *Acimowin*, hosted by Jodi Stonehouse on CJSR, and *Unceded Airwaves* produced by the Indigenous Collective at CiTR. However, there are some limitations to the current structure of the campus and community broadcasting landscape. For example, Gunargie O’Sullivan, who is the Resonating Reconciliation Outreach Coordinator for the National Campus and Community Radio Association (NCCRA), remarked that the NCCRA can only take Indigenous representation so far. Natasha Bob, who produces the award-winning show *Siem-nu-ts-lhhwulmuhw*,⁴⁵ recalled struggling to find a space for Indigenous programming at CHLY in Nanaimo. Lisa Girbav, the Indigenous Collective Coordinator at CiTR remarked on several difficulties, including facing challenges fitting Indigenous issues, current events, news, and entertainment into a 1-hour timeslot, as well as asserting Indigenous protocols into the operations of the community station (e.g. having food for volunteers and speakers, situating oneself spatially when broadcasting, and coordinating Indigenous-language programming).

Recommendation: Campus and community stations should continue to air original Indigenous programming.

CBC and Commercial Broadcasting

While many participants advocated for the strengthening of an independent Indigenous broadcasting sector in Canada, this suggestion does not preclude commercial and public

⁴⁴ This was also mentioned by Morris Prokop in Halifax, of the OKâlaKatiget Society, and John Gagnon in Ottawa.

⁴⁵ Translates to “my respected native people.”

broadcasters from producing and broadcasting Indigenous content. Claudine VanEvery-Albert emphasized the need for the Canadian people to learn about First Nations, Inuit, and Métis peoples, in an effort to “decolonize settlers too.” Several stations are to be credited for their innovations and continued support of popular and indigenous content including, but not limited to: CJUM Winnipg, CHRY, CJMP and CiTR in Homalco, CFRT in Iqaluit, CKDU in Halifax and CKUT in Ottawa. Nonetheless, as several participants noted, these stations also need to be more accessible to the Indigenous communities.

On the topic of the role of commercial broadcasters and reconciliation, Les Carpenter suggested that commercial entities should have to evaluate their impact on Indigenous communities in any licensing situation.

Carpenter also remarked that a strong CBC presence in some parts of the country are used as an excuse by Canadian Heritage to not support Aboriginal broadcasters. He suggested that in those regions the funding should not be limited to the CBC and should also go to Aboriginal broadcasters to produce and distribute content.

Recommendation: Reconsider the role that commercial, campus-community, and public broadcasters have in supporting Indigenous journalism and media in Canada.

Conclusion

This report is only a snapshot of the ideas and suggestions Indigenous people have about improving their broadcasting sector. Unfortunately, because of limited resources, it was impossible for the Project Team to reach all the Indigenous groups of the country. Also, for a variety of reasons, some groups did not feel they belonged in the conversation at this time. The Project Team hopes that more people will engage in this topic in the future and that the conversation will only become more inclusive as it evolves.

The Project Team also hopes that this report inspires people to pursue this project through its many lenses and that it has encouraged more knowledge to be shared not only about Indigenous Broadcasting Policy, but also about ways to involve Indigenous people in the policy-making process, gain new allies and work together to incorporate new ideas for consultation that perhaps are general best-practices for everyone living in this country and even others abroad.

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