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Chair

Ms. Julie Dabrusin

Standing Committee on Canadian Heritage

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● (1110)

[*English*]

The Chair (Ms. Julie Dabrusin (Toronto—Danforth, Lib.)): I call the meeting to order.

I would like to welcome everyone to meeting number 122 of the Standing Committee on Canadian Heritage.

I apologize for a slight delay in beginning, but we will keep moving it along.

We have witnesses here today with regard to our study of Bill C-391, an act respecting a national strategy for the repatriation of aboriginal cultural property. We have Travis Gladue with us, from Bigstone Empowerment Society, and from the Canadian Museum of History, we have Dean Oliver.

We have one other witness on this list, but I just want to confirm whether she's in this room. She would be Sarah Pash from the Aanischaaukamikw Cree Cultural Institute.

All right, we're still waiting for her. What we can do is begin with the witnesses who are present.

I would also like to flag for you that you have translation services available. We have members of Parliament who will ask questions in both English and French, because we are a bilingual committee, so if you need translation services, you have earpieces you can use.

Why don't we begin with the Canadian Museum of History?

We'll begin with Dean Oliver, please.

Dr. Dean Oliver (Director, Research, Canadian Museum of History): Thank you very much.

Good morning, Madame Chair.

The Museum of History is very appreciative of the opportunity to discuss Bill C-391 and the proposed creation of a national strategy for the repatriation of aboriginal cultural property.

As an institution that has been historically at the forefront of discussions on this subject, and on reconciliation with indigenous communities more generally, we are pleased at the invitation to share some notes from our own experiences and recommendations and have had an opportunity to meet with the sponsor of the bill earlier this year to provide, directly, some feedback and advice and I will reiterate that a little further in my remarks.

The museum, as many of you know, is Canada's national museum of history. It is one of Canada's six national museums and is mandated onto the Museums Act of 1990 to collect objects of historical or cultural interest to be preserved on behalf of all Canadians. The museum's unique collection represents the entire country, all of its peoples, and it is very well documented. It was built and continues to be built with very particular deliberation in terms of collections, building and management.

It holds, I think, the largest collection of objects related to indigenous history and culture in Canada, collected over the past 150 years. It's well known in the museological community for its close work in collaboration, consultation and partnership with indigenous communities, and many of those same communities are, in fact, quite proud to have their cultures and their histories represented in the museum and its activities.

The museum recently opened the Canadian History Hall, the most comprehensive exhibition of Canadian history ever developed, and that hall begins with an indigenous creation story and continues to weave indigenous stories throughout approximately 15,000 years of Canadian history that are depicted in the hall, fully integrating indigenous stories into the fabric of the museum in its entirety. A section of that hall—to point out one example—presents a digital forensic depiction of the likenesses of a high-ranking indigenous Shishalh family that lived approximately 4000 years ago. This module was created in very close collaboration with that indigenous community, and a second version of the module was presented at the same time in the community's own museum in Sechelt, on the Pacific coast of British Columbia. The entire hall, in fact, was created through that kind of collaboration with indigenous communities around the country, as well as in consultation with an indigenous advisory committee. The hall, too, was designed by someone many of you know, indigenous architect Douglas Cardinal, who was the designer of the original museum building itself.

The museum's leadership in that kind of principled engagement was, in fact, highlighted in the 2015 report of the Truth and Reconciliation Commission by name. Such projects build, we believe, strong and positive relationships with communities, and they share knowledge and expertise. They achieve all of that through day-to-day museum work, as well as through more formal programs, such as something called the sacred materials project, which brings community members to the museum to share appropriate and traditional care and handling of the materials and knowledge of same.

The RBC Aboriginal Training Program in Museum Practices, which was created in the early 1990s, offers professional and technical training for first nations, Métis and Inuit participants from the around country so that they may gather, preserve and share their own histories and cultures in their own communities. That has now graduated more than 100 young indigenous museum professionals.

In the field of repatriation activities specifically, we have been very heavily involved for around four decades. Beginning in the early 1990s, the repatriation of objects in the national collection was also added as a topic in treaty negotiations. The museum engages directly in those negotiations, providing information about the collections to participants and discussing repatriation in the context of its own repatriation practices and policies.

In addition to treaty negotiations, custodial agreements or sharing agreements are another important way that the museum shares responsibility for, and access to, its own collections. The museum has a custodial agreement, for example, with the Nisga'a Nation whereby Nisga'a objects are shared on a permanent and ongoing basis with the community.

That agreement speaks to consultation and the inclusion of Nisga'a cultural practices in the care of objects that remain at the museum and of any future acquisitions by the museum of Nisga'a material. Nisga'a Museum director Stephanie Halapija called the implementation of that agreement, “a tangible representation of reconciliation in action.”

The underlying purpose of the bill we are discussing today, as reiterated by the sponsoring member before this committee on September 18, is to provide an additional voice or doorway to the repatriation discussion. This is an objective my museum certainly shares.

As we understood it directly and indirectly from the sponsoring member, his intent in drafting the bill was to address concerns he had for a small museum in his riding in an effort to help it repatriate an object held in an international museum. The proposed strategy that has resulted, which was kindly shared with the museum in the spring, promises to support the return of aboriginal cultural property under specified conditions and to improve access to that property for educational and ceremonial purposes as matters of equal importance.

The museum shares fully these objectives. In fact, as I've already indicated, the museum is doing much of this work now, and has been for a very long time. However, the museum would add for the committee's due consideration—as we shared with the member after meeting with him in the spring—some suggestions on how the bill's current language might better serve these purposes.

As written, the bill's language may be more expansive and imprecise, and therefore not as helpful as originally intended. The strategy could identify more clearly the types of material to be subject to repatriation and the terms and conditions under which requests or demands might be entertained. For example, the current draft offers little distinction between legally acquired objects and all objects, a difference of cardinal importance to all collecting institutions, and indeed to all collectors the world over.

Further, the notion of physical and legal availability of an object is likewise currently absent from the bill's language, as is the notion of compliance with existing and relevant indigenous protocols. The bill, we believe, would be further helped by clearly defining what “available” or “availability” means in its context.

These suggestions would help hone and target the bill's efforts to realize what we understood to be its original spirit and intent. They would also serve to clarify the work and deliberations of any strategy or implementation framework that would later be created by the bill to help manage the flow of information, claims and decisions.

In our experience, this important but delicate work also requires clarity on the link between the requester for repatriated material and the material being requested. This, too, is presently imprecise in the bill's language, which specifies objects that are “of importance” to requesters. Describing objects as “linked to” or “originating from” the requester's specific indigenous group would, we think, be closer to the professed intent.

The bill may also be enhanced by including the notions of access and/or accessibility in addition to that of repatriation. As we indicated earlier, there are other means in addition to repatriation that can enhance accessibility to stories and to objects. As the bill proposes ways to measure progress and eventually to create metrics for success, it might also acknowledge awareness of the work already being done today by cultural institutions of many types, and the ways in which the bill can support such institutions in their work.

Any such metric should differentiate between existing efforts that are successful and new initiatives that stem from the bill and might also be successful, to ensure that future reporting is effective, accurate and encouraging of future results.

● (1115)

In closing, we've been guided in these comments by the text of the bill itself; by what the sponsoring member indicated about his motivations and intentions, including his comments to you on September 18; and by our own considerable experience in repatriation work and related fields as a very privileged participant and, humbly, a leading practitioner for some 40 years in this field, in anticipation of greater and more impactful efforts yet to come.

We certainly believe that the bill holds promise. We also believe that it needs some additional diligence and tighter drafting in key areas to ensure it meets its author's and this committee's expectations, so that if enacted, it can serve as a usable, effective and respectful framework for many years to come.

Thank you very much for the opportunity to speak to you today. We hope the committee finds our recommendations to be of use in its deliberations.

I look forward to your questions.

● (1120)

[*Translation*]

Thank you very much.

[*English*]

The Chair: Thank you.

We will now go to Mr. Travis Gladue of the Bigstone Empowerment Society.

Mr. Travis Gladue (Co-founder, Bigstone Empowerment Society): Thank you.

Hello. *Tansi*. I am Travis Gladue.

I would like to thank MP David Yurdiga for the recommendation to be here today, and the heritage committee for inviting me to discuss Bill C-391, An Act respecting a national strategy for the repatriation of Aboriginal cultural property.

Before we begin, I would like to acknowledge the traditional territory of the Algonquin Tribe in Ottawa.

I'm a proud Bigstone Cree Nation member from Treaty 8 territory in northern Alberta. Our traditional territories include Chipewyan Lake, Sandy Lake, Calling Lake, and Wabasca-Desmarais, Alberta. We are a Woodland Cree tribe.

My nation is known as sakâwiyiniwak. It's also a Cree word for forest people, bush people.

Over the centuries we have had many ceremonial items taken from us by museums, collectors, churches, specifically from the Anglican and Catholic denominations. Some of the ancient artifacts, which date back prior to European contact, include arrowheads, axe heads and various ancient tools. Due to the colonization of Canada, many of these ancestral artifacts were taken from us or were destroyed.

As a nation, we are in the process of healing and reconciliation, and we greatly need to find our identity, culture and language.

Working together collectively to have these items repatriated is an empowering mechanism that will be a vital component to build the journey toward reconciliation so that our future generations can have the dignity and pride that our ancestors and grandparents had taken away from them.

Safekeeping and monitoring of these artifacts will take a collective effort and support system from all levels of government to help ensure this effort will be sustained and protected in the years to come. Furthermore, first nation, Métis and Inuit nations should work along with all parties involved into helping to preserve and protect our history.

An elder and fellow members from my nation have recently been in contact with the Royal Alberta Museum regarding some of the artifacts they have kept in their collection. A total of 11 objects are being considered for repatriation, including a pair of handmade moccasins, a drum, an axe head, and several pieces of jewellery. We are currently talking with the museum about a long-term loan basis. We have overcome a hurdle recently due to the great efforts to build a facility to house these objects.

Back in 2000, the Alberta provincial government passed the First Nations Sacred Ceremonial Objects Repatriation Act. The act governs the Royal Alberta Museum and the Glenbow Museum in Calgary, but mainly pertains to the Blackfoot tribe in Treaty 7 territory and only currently covers ceremonial items. Members of my nation would like to see the act expanded to include the other two main Alberta treaties, Treaty 6 and Treaty 8.

I would like to thank Mike Beaver, the former Bigstone Cree Nation Chief and current chairman of the Wabasca Museum Board. He was one of the first people to propose the repatriation of items back in 2007. I would also like to thank the former chief, Ralph Cardinal, for his support to achieve the recognition of these endeavours.

On another note, I'd like to take a moment and mention the protection and repatriation of ancestral gravesites. In 1999, a book called *Kituskeenow Cultural Land-Use and Occupancy Study* was published by the Arctic Institute of North America. The subjects covered in the book included native people in the Alberta region. Specifically, page 36 of this book sums it up:

> The project recorded unregistered grave sites only. The total number of these graves exceeded 200 at more than 70 sites. Registered cemetery sites in the communities of Peerless Lake, Trout Lake, Wabasca-Desmarais, Sandy Lake and Calling Lake are not included in the count. Most of the elders in this study will be buried in these established communities rather than the bush where they were born and raised.

● (1125)

In early 2017, I researched the potential burial location of a former chief of Bigstone Cree Nation. Chief Maxime Beauregard served the nation from May 26, 1947, to January 31, 1962. After his time as chief of Bigstone Cree Nation, my great-grandfather became ill and was sent to the Charles Camsell Indian Hospital in Edmonton. He passed away on July 24, 1963. His body was not sent back to Wabasca, where he was from and where his children resided at that time and reside even to this day.

According to his death records, he was buried at the Winterburn Cemetery, which is located in Enoch Cree Nation, Alberta. We were able to find some potential burial locations, and at this point in time, we are in talks with the Enoch Cree Nation with regard to burial plots and the location of these potential plots or the names of these parties.

I would just like to conclude that this bill is very important, but it will also have to take into consideration the consultation needed in the communities. There needs to be a collective, joint effort by all parties involved.

Thank you for having me today.

The Chair: Thank you.

[*Translation*]

We will now begin the question and answer period.

Mr. Hogg, you have seven minutes.

[*English*]

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): Thank you both very much for your presentation. I note that the bill is entitled an “act respecting a national strategy for the repatriation of aboriginal cultural property”, and when I go through the information you provided to us, the word “indigenous” is used quite consistently throughout. Do you see any conflict between the use of those words? Do you think one is preferable?

Mr. Travis Gladue: No.

Mr. Gordie Hogg: No?

Mr. Oliver, would you comment?

Dr. Dean Oliver: In our remarks, we've used “aboriginal” in reference to the bill as written, and “indigenous” as a more inclusive term whenever an adjective was required.

Mr. Gordie Hogg: Other people have different interpretations of that across Canada, in terms of a utilization that would more broadly engage Métis and other groups.

Dr. Dean Oliver: Indeed.

Mr. Gordie Hogg: Mr. Oliver, you made reference to areas in which you thought the bill was too expansive and imprecise. Can you highlight some of those areas and the changes you might see with respect to them?

Dr. Dean Oliver: It makes reference to material to be repatriated that is “of interest” to the requester, which limits a request to neither material that is ethnoculturally related to a requester nor materials that are indeed indigenous at all. The bill as written would make Paul Henderson's jersey as much a subject of a possible repatriation request as the ancestral remains of a chief or family member.

Mr. Gordie Hogg: Mr. Gladue, do you have any comment on that?

Mr. Travis Gladue: He took the words pretty much right out of my mouth.

Mr. Gordie Hogg: Them you'd share the position that it needs to be tightened? Do you have any wording that you would see as being appropriate for tightening that?

Dr. Dean Oliver: In my remarks, I suggested a couple of things, such as “associated with” or “attributed to”. The other wording in my remarks would put the onus in part on the requester to demonstrate affinity with the items being requested.

There are all kinds of ways in which this becomes quite important in a repatriation discussion, not least because requests for repatriation for the same items or from the same geographical area may originate from multiple first nations. It is in part historical research and in part oral tradition and traditional knowledge that help determine what those connections are, but relationship to the material being requested is a key criterion in adjudicating any repatriation request. In the absence of that specificity, any regime that tries to make a determination will fall on hard times.

● (1130)

Mr. Gordie Hogg: Often in bills and legislation there's a preamble that talks about the intent in a broad-based way. Do you think there's value in adding a preamble to that talks about the incredible importance of the first people of our country and the contributions they've made and that it breaks down into this being part of it? Do you think there needs to be a mission or vision statement around that?

Mr. Gladue could comment first.

Mr. Travis Gladue: It's definitely a vital component. I agree. Understanding the history will provide identity and will also work into this intergenerational trauma, especially with the younger people who have identity issues. Having that will empower and it will help bridge a lot of gaps as well, because there are many people who don't understand, and lack of knowledge is very apparent in some cases. Being able to provide that insight would definitely fill in those gaps.

Mr. Gordie Hogg: There was reference made to it in a number of other places, but I was just wondering. You're suggesting perhaps having that within this bill or legislation as a preamble or a statement around the incredible contributions made to this country through the first nations, aboriginal people who have been here in some parts for well over 10,000 years. There would be some reference to those types of things.

Do you think that takes away from the intent of it, or does that contextualize it in a meaningful way?

Dr. Dean Oliver: I would think the latter, that it would contextualize it in a meaningful way and would potentially take nothing away from what I see at the moment in the text of the bill or the understanding of its intention from the sponsoring member.

Mr. Gordie Hogg: Do you have some phraseology that you might apply to that?

Dr. Dean Oliver: At the moment, I do not, nor did I prepare any for this morning's meeting.

Mr. Gordie Hogg: My plan was to trick you.

What do you think are the elements that it should contain?

Mr. Travis Gladue: It's interesting that you bring that up, because before I came across these findings, these artifacts were kept in a basement at the Royal Alberta Museum for years. Nobody knew about them. They weren't highlighted. They weren't displayed. Therefore, right then and there, that identity element is not being shown, not being highlighted.

The way I see it, why should these museums keep these items, these artifacts, if they're not even displaying them in their own museums? Again it goes back to providing that insight, providing that knowledge, but also working together collectively.

To add to what my colleague was saying, I agree that there obviously needs to be consultation, but also that input as mentioned. Definitely.

Mr. Gordie Hogg: That's one of the reasons you're here, to provide that input and that context for us.

I agree with you. We should have a bit of a preamble that contextualizes this and puts it in a broader framework of all the things that first nations are dealing with over this period of time, related to the historical perspective and how this fits in. This is an integral part of the direction we're going with respect to truth and reconciliation. This fits into that framework more broadly. It is a specific part or a specific component of it contextualized in that fashion.

The Chair: Dean, keep it to about 15 seconds, if you can.

Dr. Dean Oliver: An aspect of that would be the notion that repatriation exists on a very broad spectrum of the ways in which museums, cultural institutions and others can contribute to reconciliation. It is one way, and an important one, but only one.

Mr. Gordie Hogg: Thank you.

The Chair: Thank you.

We will now go to Mr. David Yurdiga, please.

Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC): Thank you, Madam Chair; and thank you to the witnesses.

Mr. Gladue, thank you for your service for our country. I believe you served in the Canadian Forces. We really appreciate that.

Mr. Oliver, thank you for joining us.

My first question is to Mr. Gladue.

Can you describe the challenges you face in your journey to repatriate a number of artifacts that you discovered in the Royal Alberta Museum?

● (1135)

Mr. Travis Gladue: That's a great question.

As I mentioned, it goes back to 2000, regarding Treaty 7 territory, the Blackfoot Confederacy. They did an excellent job. They were able to get their own legislation with the provincial government.

Currently as it stands for Treaty 8, where Bigstone is, there's nothing. All we can go on is a lone process.

I understand that, but we need to have laws in place there, and also checks and balances to follow. What these look like down the road is the museums working collectively together. It doesn't necessarily have to be with the leaderships, but from the communities, delegated people who want to take on these roles. Really, in my opinion, it has to be a 100% grassroots initiative.

Mr. David Yurdiga: Mr. Gladue, in your first meeting with the museum, was there any push-back? Was there willingness, like "Yes, let's do something, and we'll talk?" How was that first meeting?

Mr. Travis Gladue: It was great. Actually, they were very welcoming. Walking in there, I was green. I'll be honest. However, they were very helpful and informative. They educated me on the proper care of these artifacts, pertaining to lighting, to heat, to cold, where they would have to be stored, based on temperature, and the history of all these items.

We worked together. They educated me and I educated them too on the history of the people who made these items, because it goes back to our ancestors and it helped provide that insight to them as well. It was a very positive experience with the director and with staff from the Royal Alberta Museum.

Mr. David Yurdiga: Mr. Gladue, there is also a concern that a lot of these artifacts are very sensitive to light or humidity and need special care. Moving forward, everyone wants to see the first nations and all the indigenous and aboriginal people, Inuit...I think I covered all of them.

Mr. Gordie Hogg: The Métis.

Mr. David Yurdiga: Yes, I said Métis. I don't want to leave anyone out.

However, regarding the infrastructure and the money that goes with that, can a lot of the groups manage it all without federal or provincial help?

Mr. Travis Gladue: It's a great question, David. I can speak for Bigstone, but I can't speak for....

Right now, we just finished building a facility. We just upgraded a building, but just to do that alone costs $200,000. Now we're at a standstill because we don't have a budget for a salary to hire somebody. We don't even have the proper equipment for the case for the equipment or for the lighting. Yes, we have the structure and we have the building, but again this is where working collectively with all the different agencies and levels of government will be a crucial and vital component. Everyone needs to work together.

Mr. David Yurdiga: You also mentioned grassroots in one of your statements. Going forward with this national action plan, how do you foresee the stakeholders being spread out? Who should be the stakeholders in this conversation?

Mr. Travis Gladue: I think it comes down to that area and region, so definitely it should include the local MLA and the local MP. The chief and council should be supportive; obviously they have to govern their nations. Also, there should be a board, a group, a collective, members from that region, from that community. It can consist of elders, young people, everybody, with a wide variety of backgrounds, to bring this all together, but that is definitely a lot of uncharted territory that still needs to be discovered.

Mr. David Yurdiga: Thank you, Mr. Gladue.

Mr. Oliver, you mentioned education providing first nations with the ability to understand the artifacts they are getting and how to maintain them and care for them. How widespread is that training? This is the first time I've heard of the training that's provided. Is that widespread throughout Canada, or is this just a pilot project in one part of the country or a province?

● (1140)

Dr. Dean Oliver: I can only speak for my museum.

In fact, one of the two very direct and powerful influences of the task force report on museums in 1992 was the creation of a very powerful effort in our museum to engage in widespread repatriation talks with communities across the country, and we've been doing it ever since.

Second was the creation of the aboriginal training program in Indigenous Affairs that I mentioned, which has had a minimum of three people in it—sometimes six or seven—in response to that task force's report on the need to increase indigenous capacity across the country to handle their own provenancial materials, their own culture, their own stories. We've been doing that diligently ever since.

However, that's a very small aspect of the ways in which we, on a daily and monthly basis, engage with indigenous communities. We do everything from facilitating visits to collections to see their own material to the provision—by loan, by repatriation, or by other custodial sharing arrangements—of material back into communities.

Sometimes there are no museum-quality environmental controls to handle things, and we physically create them for those communities —for example, by putting discreet display cases in chief and band council offices. It is also sometimes redistributing or disseminating linguistic, craft and ceremonial knowledge that has resided with us for many decades—in some cases 150 years—that may in fact be lost in communities. We have done that across a broad range of areas, from the Far North to the coast of B.C. to Nova Scotia.

Finally, on a yearly basis, we send people into the field for discussions, for collecting, etc., including archaeological fieldwork. We have used all of those opportunities to talk to people about our collections and about the work they can do in their own communities.

To give you a very small example, we—

The Chair: Unfortunately, I'm going to have to let you bring that example through another question, perhaps, because we're out of time.

Dr. Dean Oliver: Thank you.

The Chair: Thank you.

[*Translation*]

We will now go to Mr. Nantel.

Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP): Thank you, Madam Chair.

I thank the two witnesses who are joining us.

Mr. Gladue, during your testimony, I tried to obtain more information on the Bigstone Empowerment Society. So you are located north of Edmonton, about 300 kilometres from your potential museum. However, I would mainly like to know how long you have been communicating the Cree community's intention to recover its artifacts.

How long have you been working on this issue?

[*English*]

Mr. Travis Gladue: It has been two years now.

I mentioned at the end about Maxime Beauregard. I was doing some research about the Charles Camsell Indian Hospital. There were residents who stayed there from Wabasca, from my community. They had made items while they were patients at the Camsell. These artifacts were sent over to the Royal Alberta Museum.

I started inquiring, and no one came forward to claim them. It wasn't that nobody wanted to; I think that maybe other members from my nation didn't know how to go about it. I was proactive and contacted the RAM, and that's how this process began.

I'm also a co-founder of the Bigstone Empowerment Society, which originated from Calling Lake, Alberta. The lady's name is Gloria Anderson. She's a great person.

Mr. Pierre Nantel: It seems to me that you are kind of a pioneer in these *démarches*, these actions taken.

Mr. Casey explained to us how empowering it is in the political area and how important this bill has become to him. He could see the difference it would make.

I asked you how long you have been involved in this repatriation. Please explain how deep the effect is on a nation to retrieve these artifacts. How significant is it?

● (1145)

Mr. Travis Gladue: How long do I have?

The Chair: You have four and a half minutes.

Mr. Travis Gladue: When I was looking into my great-grandfather Maxime Beauregard, it was tough. I was sitting around one day with family and I wondered where he was buried. Nobody knew in our home community. I think most people want to know their identity, where they come from, their roots. He died in 1963. That's a big gap up until 2017 or 2016.

It's the same thing with these artifacts, because the people who made these.... Some of the other band members from my community were starting to find out and come forward to say, “That's my grampa”, “That's my grandmother”, “That's my great-grandfather”. This was tying in a piece of their own history that they didn't even know about themselves. The process is a little bit painful because you find out the history behind it, but we can't change that, and that is a part of who we are. However, it's about moving forward together in reconciliation, walking together. What does that look like?

Having that community understanding that engaged with the history has also provided a lot of insight on where the healing can come in. There were a lot of members, as I said, who didn't know about these things, and having that identity restored has really been able to bring a lot of people together in understanding. As I said, Canadians and indigenous people—Métis, first nation, Inuit—can really start working together, working through those barriers.

I hope that answers your questions.

Mr. Pierre Nantel: Absolutely. I'll speak in French here because I want to precisely choose my words. I have so much respect for the translators. They will find the right word.

[*Translation*]

If I understand correctly, not only have horrible things happened in our history in terms of injustices committed against you, but in addition, over time, voluntarily or not, all traces of those injustices have practically been erased. You are trying to find those traces to determine your place in history. You were talking about your grandfather who practically disappeared. So, yes, you are answering my question.

[*English*]

I commend you for that.

[*Translation*]

A real issue still exists, that of artifact preservation, and you talked about its costs.

Do you think the possibility of using business participation, local sponsorships, should be considered? For example, I am sure that, in Wabasca, major employers could be interested in that kind of a program.

We talked a great deal about funding during our studies on museums. It was a matter of encouraging companies and citizens to give money to foundations—money that would generate interest and help enhance companies' and museums' budgets.

Would you be interested in your major local companies providing sponsorship services and helping you find your roots?

[*English*]

Mr. Travis Gladue: That's a great question. That has been brought up, about sponsorship from the private sector and from industry.

I think it would be good to have a sponsorship, but what does that look like? Is this going to be some agreement that we write up with, for example, Al-Pac, and it's only for 18 months or two years? What happens after that?

I think it could be a good idea in theory, but again, we're going into uncharted territory. If we're going to go that route, it has to be a long-term commitment. It can't just be that they'll throw us a couple of bucks for a couple of years, because upkeep and maintenance is a dedication within itself. I think also there's educating the people in the community, as well. That's going to take resources; that's going to take time.

These are the things you have to look at as important components, but I think the private sector can play a role.

Mr. Pierre Nantel: But it has to be a serious commitment, not just a yearly thing.

Mr. Travis Gladue: That's right, you can't just have lip service.

[*Translation*]

Mr. Pierre Nantel: Thank you.

[*English*]

The Chair: I think the word you were looking for, by the way, Mr. Nantel, was endowment—the endowment programs that we were talking about.

We will now go to Ms. Dhillon, please, for your questions.

● (1150)

Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.): Thank you, Madam Chair.

My first question will be for Mr. Gladue. When do you foresee the BCN museum opening up?

Mr. Travis Gladue: Can you repeat that please? Sorry, I was distracted.

Ms. Anju Dhillon: That's okay.

When do you foresee the BCN museum opening up?

Mr. Travis Gladue: Right now the facility is built. I just spoke to the museum society here last week, and the big hurdle that we're running into is lack of funding. We're pretty much ready to go, but we just need these important components that we're talking about today. We don't have money put aside to hire an employee. We don't have a budget put aside to get new cases. My understanding is that we need special lighting and heating for some of the rooms. There are pictures here in the slide show of the facility.

If we had the right checks and balances in place, we could be good to go tomorrow, in theory, but realistically I'd say that we're maybe six to eight months from now to opening.

Ms. Anju Dhillon: Okay, and it's taken a decade so far to put everything together.

Mr. Travis Gladue: Definitely. For the elder, Mike Beaver, who started it, it was kind of a vision, and now seeing other members and a younger generation taking this on.... As an elder you can do only so much in travelling time and commitment. Then you see a lot of other people taking the effort and time to fill in that void.

Ms. Anju Dhillon: When it comes to the repatriation of the artifacts, you mentioned in your testimony that because there was nowhere to house them, you had difficulty repatriating them. Is that the only reason?

Mr. Travis Gladue: We couldn't house them...?

Ms. Anju Dhillon: Yes, exactly, from what you have said....

Mr. Travis Gladue: Well, prior to that, I don't think members even knew or were aware that these items were there. As I said, I came across this when I was doing my own personal research on my great-grandfather.

It was like I stumbled upon it. It wasn't as if I had said, “Oh, I'm going to go find out where all this is.” No, I was looking for my great-grandfather. I wanted to know where he was, and then I came across this.

Ms. Anju Dhillon: Have the museums explained why, even if they are in possession of them and they do have the proper conditions to display the artifacts, they don't do so?

Mr. Travis Gladue: In the case of the RAM, the reason is that they didn't have enough room. That was what they told me.

Also, it wasn't within what they had set up in their indigenous display. We do have one item that is currently displayed right now at the new facility. It's actually a moss bag that's there right now.

Ms. Anju Dhillon: That is one out of the 11 you've mentioned.

Mr. Travis Gladue: That's correct.

Ms. Anju Dhillon: You would be getting all 11 artifacts should your museum be able to have the proper conditions to display them.

Can you tell us how your organization would help the federal government in making a national action plan? Which stakeholders do you think would be good to have involved in this?

Mr. Travis Gladue: I think collective community engagement would be number one, getting involved with the elders and the families and getting their input and insights.

Also, there would be the gathering of that information and working with the museums to get them to consult and educate the communities on how to care for them. This is something that would have to be collectively worked through for a period of time.

I think that my organization—and I don't even like to say "my" because this is a team effort—just wants to be involved. I think that there are a lot of young people who want to be educated about this. I think that creating those programs or creating those opportunities will allow those doors to open so that one day we can just be self-sustainable and can house and take care of them ourselves, but how do we do that?

There are components here that have to be looked at and can't be left out.

Ms. Anju Dhillon: Are there other organizations that are now coming up, such as yours, to help with the repatriation of artifacts?

Mr. Travis Gladue: I know of one young man, whose name is Jesse Donovan. He is currently working on the repatriation of the Louis Riel artifact. I believe it's at a museum in Manitoba. They have an artifact there, and he has been working with them collectively with the Manitoba Métis Federation.

● (1155)

Ms. Anju Dhillon: Okay.

How do you believe the federal government would also be able to contribute to and help with the repatriation of artifacts?

Mr. Travis Gladue: I think the federal government can help, can definitely assist.

Now, as far as what its role would be, I wouldn't say that its position would have to be so dominant. However, it could be there as a support system, definitely, and then be aware and be consulted, and everyone could work together on engagement.

Ms. Anju Dhillon: Perfect.

Mr. Travis Gladue: Hopefully that answers your question.

Ms. Anju Dhillon: It does, yes. Thank you very much.

The Chair: That brings us pretty much to the end of this round.

I did want to finish up by asking both of you who had talked a bit about the wording and a possible preamble that it would be very helpful to us, as we're reviewing this bill, if you could provide us in writing with your suggested wording so that we could look at the precise wording. You can send that to the clerk.

Thank you to both of you.

We're going to suspend briefly, and then we will be starting up with our second panel.

Thank you.

● (Pause)

●

● (1200)

The Chair: We'll start up again. We had a slight change to this panel. Ms. Pash has been moved into the second panel today, so we have a panel of three.

We have Ms. Sarah Pash from the Aanischaaukamikw Cree Cultural Institute. We have Regional Chief Morley Googoo from the Assembly of First Nations. We have Ruth Phillips and Anong Beam, from the Great Lakes Research Alliance for the Study of Aboriginal Arts and Culture.

Why don't we begin with Regional Chief Morley Googoo from the Assembly of First Nations? Please go ahead.

Regional Chief Morley Googoo (Regional Chief, Nova Scotia/Newfoundland and Labrador, Assembly of First Nations): Thank you so much.

[*Witness speaks in indigenous language*]

Thank you so much for having me this morning. I am very glad to be here on the unceded territory of the Algonquin nation, a proud Mi'kmaq from Nova Scotia. My good friend is here, our MP Andy Fillmore. I have worked on some projects with him.

The Assembly of First Nations has not taken a position on the private member's bill, Bill C-391, an act respecting a national strategy for the repatriation of aboriginal cultural property. During our summer assembly, the Chiefs-in-Assembly passed a resolution that directed the AFN to ensure that any future national strategy on the repatriation of indigenous cultural property be created with the full participation of first nations and uphold the standards set out in the UN declaration. I expect the issue raised by this proposed Bill C-391 will be reviewed by the chiefs this coming December in our winter assembly.

First nations across the country have long expressed the need for the creation and implementation of legal protection to ensure repatriation of all ancestral remains, sacred objects and objects of cultural significance. In 1994, the Assembly of First Nations created a task force with the Canadian Museums Association that developed ethical standards on how first nations and museums would work together on respecting the interaction of repatriation.

While that work stands the test of time, we note the need for informed legal analysis on this matter, one that takes into account significant legal documents since 1994, such as the adoption of section 35 of the Constitution Act, 1982, which recognizes and affirms the treaty and inherent rights of first nations; and in 2007, adoption by the UN General Assembly of the UN Declaration on the Rights of Indigenous People.

First nations across Canada have experienced many violations of our rights. Ancestral remains, sacred objects and objects of cultural significance have been taken without free, prior and informed consent of first nations. This is what most people think of when they speak about repatriation of our cultural property—heritage and our materials—but it's also important to note a crucial repatriation issue: intangible property.

First nations have lost access to recordings of voices, the voices and stories of our elders that were collected from our people by all the researchers. These sacred stories, histories and lessons from the land are often deposited in museums and archives, gathering dust when they could be helping rebuild our nations and connection to our landscape and to our history.

Action is needed that respects first nations protocol and our human rights as people. Guidelines were developed 24 years ago by the task force on museums and first peoples, but there was no enforceability, and there still isn't. Discretion and power have been left in the hands of the museums. This situation doesn't align with the obligations Canada has under the UN declaration. The Government of Canada has moral and legal duties to assist indigenous peoples to secure the return of property and materials that were illegally and deceptively taken from indigenous people, and they must work with indigenous people to establish a pathway home.

First nations and Canadian museums have developed a case-by-case approach to repatriation requests that respects different circumstances. After all, there are 58 different indigenous nations in this country. As your committee has heard, first nations require resources to participate in many of these endeavours or to bring about repatriation of our own items. There is a need for a full engagement process as well as a thorough legal analysis to understand the diverse situations of first nations across Canada.

We encourage Canada to explore a structured and fully supported dialogue process with first nations. I bring to your attention that the Chiefs-in-Assembly have passed numerous resolutions relating to repatriation. The chief has also directed the AFN to call upon federal and provincial and territorial governments to acknowledge their moral and fiduciary responsibilities to assist first nations across Canada in their domestic and international repatriation efforts. To deny first nations access or control is to impede first nation rights to a self-determination guaranteed by our inherent treaty rights, constitutional rights and international human rights. We must examine what policies and legal framework are required to guide museums in the relationship and interaction with first nations.

● (1205)

A law that simply encourages owners to return property will not achieve the aim of protecting and respecting first nation rights and advancing reconciliation. Many items were sold to museums or private collections under conditions of duress. People were starving. First nations have never consented to the relocation of their ancestral burial remains to museums.

First nations need commitment and action from the federal government to locate, gain access to and repatriate cultural items held domestically and in collections outside of Canada. Ultimately, there must be enforceable measures for those holding sacred first nation items and burial remains to respect the protocols and rights of first nations.

Our communities must be partners with agencies and authorities throughout the decision-making process and application process. Canada's role would include promoting and supporting the return of our cultural property and materials. The principles within the UN declaration should be used as a framework for any decisions on repatriation. First nations should not be limited in their presentation of their own past, present and futures.

In the spirit of reconciliation, the wilful erosion of first nation cultures and languages by previous generations calls for expenditure of public funds. Any new legislation on repatriation that seeks only to encourage repatriation does not go far enough in affirming first nation rights, especially legislation that is not co-created.

In the short term, there are a number of steps Canada can take:

Fund and take action to support first nations in the return of our tangible and intangible cultural heritage and ancestral remains. In the same way, language revitalization action is needed to preserve our protected languages. Cultural heritage faces endangerment, and we cannot wait to act on repatriation to revitalize our indigenous culture;

Develop a domestic and international catalogue. A record of objects of ancestral remains currently held by museums, archives and other institutions must be established.

We need co-development of the process. Actions should be taken to develop an indigenous peoples-led framework to equally recognize the knowledge of indigenous peoples and our rights to make decisions about our tangible and intangible heritage.

Hundreds of years of cultural erosion cannot be overcome simply through small steps. Longer-term steps should be included. There should be robust legislation that is directed by indigenous-led policy development and a review of current policies and practices that identify where indigenous peoples' values and rights have been excluded.

Provide funding and support for the inclusion of indigenous peoples' legal traditions and protocols and cultural heritage policies and legislation.

Carry out audits of museums' and other institutions' past practices in repatriation and an audit of the failure to implement the recommendations of the 1994 Task Force Report on Museums and First Peoples.

Look at reviewing international policies and legislation to understand what has and what has not worked in their repatriation legislation—for example, the Native American Graves Protection and Repatriation Act. The U.S. has some great successes, but it also creates stress on the relationships between parties through a rigid framework and lack of funding to support the work required.

First nations across Canada should be able to maintain, protect and have access to our religious, ceremonial and cultural sites and objects and have a collective right to repatriation of our ancestral remains, sacred objects and objects of cultural significance.

I want to thank the committee and Bill Casey, our MP back home, for raising the profile to another level. I think this is so important for us to build co-operatively with a new narrative for all Canadians and for all our people.

Wela'lioq.

● (1210)

The Chair: Thank you.

We will now go to Ms. Pash from the Aanischaaukamikw Cree Cultural Institute.

Dr. Sarah Pash (Executive Director, Aanischaaukamikw Cree Cultural Institute): [*Witness speaks in indigenous language*]

Thank you, Madam Chair, and thank you also to the committee.

[*Witness speaks in indigenous language*]

I am very honoured to be here on unceded Algonquin territory to speak about the very important bill that we're discussing today.

Aanischaaukamikw is the cultural centre for the 10 Cree communities of the Eeyou Istchee in northern Quebec. We run a 30,150-square-foot building that has 3,000 square feet of long-term and temporary exhibition space, visible storage, a documentation and resource centre, state-of-the-art collection storage, including archaeology, and workspace for approximately 40 staff.

Aboriginal cultural property is defined in the bill as "objects". In our experience, and considering our long-term needs for repatriation, the definition should include intangible heritage, archival documentary materials and all forms of research data. As we struggle to maintain our language, ensure transmission of our culture and traditional knowledge from generation to generation and protect our cultural heritage for generations to come, we understand the importance of ensuring our ability to repatriate materials and objects such as our ceremonial items held in museums in the south and the voices of our elders, long since passed, in university archival collections of anthropologists.

This necessitates inclusion of any research data and documentary materials that are part of indigenous heritage. Much of our cultural heritage is held by museums and academic institutions beyond Eeyou Istchee throughout Canada, the U.S. and in other places in the world.

When we define cultural property, we define it in terms of heritage and identity. Heritage is inextricably linked to identity; therefore, there is no way to separate indigenous cultural property from indigenous heritage as a right.

The bill comes at a time when we're welcoming the ratification of the United Nations Declaration on the Rights of Indigenous Peoples for its assertion that indigenous peoples have the right to practice and revitalize cultural traditions and customs, including the right to maintain, protect and develop the past, present and future manifestations of their cultures, referring to both material and intangible cultural property.

After centuries of colonization and colonial actions that have endangered our ability to authentically enact heritage as a right, we welcome actions such as Bill C-391 if the enactment is an authentic way of supporting our right to heritage and ensuring that our cultural property is protected and preserved for generations to come.

Although the scope of Bill C-391 places aboriginal cultural property wherever it is situated, in order for this to be comprehensive and meet our needs, this must be clearly understood to include holdings in other countries beyond Canada. We have items of great significance to our heritage throughout the United States and Europe as well as in many places across Canada, and much of this consists of sacred and ceremonial items.

The lack of strength in statements as a result of utilizing phrasing such as "encouraging" the return of property rather than "requiring" the return of cultural property is of concern in the light of calls for authentic implementation of the UN declaration and the TRC calls to action. The two documents, if taken seriously, require a complete reframing and revisioning of the relationship between indigenous nations, their cultural institutes and mainstream museums.

The bill refers to "owners, custodians or trustees", which are typically self-appointed positions when it comes to indigenous heritage or intangible cultural property. This is a subtlety in power dynamics that should be more widely understood within the discourse surrounding repatriation as an act of reconciliation.

It's also worth noting that the owners, custodians or trustees referred to in this section have profited from the property they hold, using it to raise profile, develop programming, legitimize their standing as institutions and raise capital. From this view, it should be recognized that the owners, custodians or trustees are indebted to the source communities. The mainstream heritage community and the indigenous heritage community together need to collectively advocate to reframe the relationship as a matter of reconciliation. In fact, the ways in which indigenous cultural property is discussed and publicly labelled as "collections" or "artifacts" work to whitewash processes that are quite violent in nature.

In terms of our territory, items from our territory ended up in museums, academic collections or private collections through means that were more than dubious in nature. Yes, some were bought and paid for, but even when this happened, the collector was frequently in an advantaged position of wealth and power, not facing starvation or other catastrophic life events.

Take, for example, the case of ceremonial objects that we know are in museums across the country and around the world and that we know originated in our communities.

● (1215)

One such ceremonial item, a woman's beaded hood from the mid-1800s, used to honour our relationship with the animals that we depend on and to celebrate life events, was found in a museum in Montreal. Through our research, we tied this ceremonial hood to one of our communities in northern Quebec. We knew which family it was from and we knew who the hood-bearer was in the 1800s, but we were unable to determine how the hood ended up in the hands of a collector, and from there in a mainstream urban museum. We can only theorize that if the hood were not obtained through theft or forcibly taken, then the family would have been in such a state of extreme hardship that they would have needed to part with this important family inheritance, an important tie to their spiritual and ceremonial life.

If we are able to only discuss and acknowledge the fact that the removal of parts of our cultural heritage from our communities was facilitated by undesirable economic or social conditions, or that they were stolen or taken by force, or even unexplainably ended up in the hands of a collector, we have not arrived at the point as a society where we can merely “encourage” the return of indigenous cultural property. In keeping with this, support for the process referred to must ensure that indigenous heritage organizations and communities are not burdened with any costs related to the process of re-homing cultural property.

From our experience, transporting an object from a museum in Montreal or Toronto can cost tens of thousands of dollars. For a small non-profit institute, this is a burden that is taken on with the knowledge that our ability to provide access to parts of our tangible heritage that have fallen out of memory or use within our communities is an important aspect of cultural revival and maintenance of heritage. If we're speaking, as referred to in clause 3, of support for preservation and access, this should be understood to mean the financial support necessary to do this work properly. In addition, this support should ensure that the cost is not borne by indigenous communities or organizations. Authentic financial support takes into account transportation costs, conservation costs, and facility and operations support. There are other considerations that must be taken into account here, including support for increasing capacity within indigenous nations, human resource training, and facilities development.

Our facility, Aanischaaukamikw Cree Cultural Institute, located in Oujé-Bougoumou in northern Quebec, serves our entire nation of 10 Cree communities across Eeyou Istchee. We own and operate a state-of-the-art facility that has achieved category A designation from Canadian Heritage, a designation that recognizes our facility is on a par in terms of conservation and storage facilities and capacity with many of the major museums in this country.

More and more across the country, indigenous organizations are developing these types of institutes and supporting their ability in cultural heritage management. The bill calls for support for repatriation of cultural property, which must include support for the development of the facilities necessary to house such property.

Further, regarding access, it would be preferable if there would be no room for conditional demands on indigenous communities centred in western museological norms that restrict access for any reason that an indigenous community deems valid. Control and access decisions should remain in the hands of indigenous communities or their representative organizations, and that authority must be well recognized.

Frequently we're met with resistance from museums to access because of their reliance on decision-making protocols that are based in western museological norms. These norms don't take into account our own knowledge about how ceremonial items and other items should be cared for and handled. In many instances we found that our objects are improperly cared for and disrespected in mainstream museums because of their reliance on western museological norms. In many cases as well, proper care of the object would entail its relocation to the territory it originated in and to which its spiritual life is tied.

The dislocation and disrespectful handling, even incidentally, of our most precious heritage objects is a pain that this bill could work to alleviate. It should also be noted that in many cases collective items have been subjected to less than ideal storage situations. Many sacred and ceremonial and otherwise important objects have been sprayed with pesticides and neglected as low-priority items in museums, as we have found in some of our cultural property that's held overseas.

The need for support in repatriation of indigenous heritage property is contextualized for us by the fact that much of the collecting work took place during an era of empire expansion, when indigenous cultural items were viewed as exotica, fetish and salvage. In light of these points, there's much repatriation work to be done.

● (1220)

In regard to claims on collections extracted from indigenous communities and territories, especially following contact with Europeans, there was rarely any form of proof of ownership in the sense of documentary evidence. The burden of proof can't be borne by indigenous communities alone. While research must be done, this must be led by indigenous communities but supported financially and otherwise, without placing costs on indigenous communities. In addition, oral tradition and oral discourse need to be valued in terms of this research that's done to place objects within their home communities.

I'd like to take a moment to recognize the work of Mr. Casey and others who developed this bill and also acknowledge that, if passed, it would be a substantial support to our efforts to ensure cultural maintenance and access to our own heritage. Repatriation of cultural property allows us to ensure access to heritage to the population we serve. It creates deep and meaningful experiences and learning opportunities that allow us to reclaim aspects of ourselves and who we are, learning about ourselves as we bring our cultural property home.

Thank you, Madam Chair.

The Chair: Thank you.

For our final presentation, we will go to Ruth Phillips and Anong Beam of the Great Lakes Research Alliance for the Study of Aboriginal Arts and Cultures.

Go ahead, please.

Dr. Ruth Phillips (Professor, The Great Lakes Research Alliance for the Study of Aboriginal Arts & Cultures): Thank you.

I also would like to thank the committee for giving us the opportunity to speak to you, and I would add on a personal note that I am particularly grateful to be here because I was a member of the task force on museums and first peoples, to which we owe the current guidelines we work with. I'm very happy to see this further stage finally being reached.

GRASAC is also an organization that has existed because of federal funding from the Canada Foundation for Innovation, the Canada research chairs program, and SSHRC. We are indebted to federal support for the research that we've done.

We are a collaboration of academics, indigenous communities, researchers, and museum staff. We have come together in order to do some of the work that other speakers have referred to—the need to identify the locations and histories of collections of objects, both abroad and within North America.

GRASAC supports the passage of Bill C-391. We regard repatriation as an important expression of self-determination, as expressed in the United Nations Declaration on the Rights of Indigenous Peoples, to which Canada is now a signatory. We've described our organization's work and provided detailed comments in a written report, which will be circulated to you after translation.

Today we want to highlight key provisions and refinements we believe to be necessary for the bill to succeed in its goals. We believe that it needs to support three primary things—research leading to the identification of items for repatriation; multiple forms of access, including digital access and loans where appropriate; and infrastructure in indigenous communities.

Anong Beam, who is with me today, is executive director of the Ojibwe Cultural Foundation and a member of GRASAC's steering committee. She will speak to this last, very critical issue.

Why is research necessary as a precondition for repatriation? As other speakers have said, we actually don't know where all this heritage is located. We also find that much of it is very poorly documented. In many cases, we don't know how it was collected, when, or from which community. Indigenous people need to identify items for repatriation because museums and collecting institutions will need to know these histories in order to consider the requests. They will demand this kind of information, in addition to the practical need to know where things are.

When we do this research, as we have been doing in the GRASAC project, it illuminates the different ways that aboriginal cultural property has left communities over the course of four centuries, in the case of the Great Lakes region.

I brought a few images. I hope to show you how important these things are and the ways in which they have been collected.

The first slide shows a 17th century curiosity collection in Paris that still exists. It had indigenous Great Lakes items in it. These kinds of things were collected by curiosity collectors—a beautiful Odawa bag and a very important pipe.

The bag is in the National Museum of Ireland. It was brought there by an Irish soldier who was in Canada around 1800. The pipe was brought to Scotland by a soldier who fought in the Seven Years War and who left it with his patron. It was only sold around 2006 at a Sotheby's auction, where Canadian museums did not have enough money to bid for it. It went to a private American collector, along with a whole collection of other wonderful things. Indigenous communities were completely unable to bid for these things at the time, because of lack of funding, which I'd like to point out.

A very important way that things left communities in early years was through diplomatic exchanges and rituals of gift-giving. Wampum is the most famous and best known form of item that left in this way, and you see here an important example, now in the McCord Museum.

I have learned from my colleagues in GRASAC that when gifts are received in such a context, it indicates and confirms that an agreement has been reached. There are potential consequences to returning such items, because it may simply signify that the agreement is nullified by the return. This is something to keep in mind.

● (1225)

During diplomatic exchanges, especially in the 18th and early 19th centuries, there were also ritual adoptions of individuals who were regarded as allies or supporters of indigenous communities, and part of such adoptions was very often the presentation of a very beautiful outfit of clothing. Lieutenant John Caldwell was adopted in 1780 by Anishinaabe people. He's wearing the outfit he received. Much of it is now in the Canadian Museum of History. It was repatriated in the 1970s when federal funding was made available for the repatriation of Canadian heritage held abroad.

Other kinds of gifts were given through the 19th century when important officials visited, such as a remarkable collection of quilled birchbark containers that is now in Osborne House on the Isle of Wight in Britain, which was Queen Victoria's family home. These were given to the Prince of Wales, and some of them directly to Queen Victoria. They may look like the kinds of items that were purchased as souvenirs, but they were actually diplomatic gifts.

Things could be commissioned, such as this magnificent and very famous cradle. The panels for it were commissioned of one of the most famous quill workers in Nova Scotia in the 19th century, Christina Morris, and there was an enormous production of souvenir work in the Great Lakes for economic purposes. It provided a very important source of income to indigenous people.

Among these items were very beautiful items of beadwork made by Haudenosaunee people throughout the northeast, and there are lots of those in collections. From the many photographs we have found of Victorian women holding these bags, you can see that they prized them greatly.

However, the largest body of materials in museums, which has already been referred to by other speakers, is the enormous amount of material collected in the late 19th and early 20th centuries under a project that is often called salvage ethnography. Anthropologists fanned out across North America to collect what they regarded as the last remnants of indigenous culture, thinking that indigenous peoples would disappear.

In my experience, this body of material is understood to have been collected under duress. People were impoverished. They had been confined to reservations and reserves. Their children were being removed to residential schools, and it was a period of great demoralization in many places. The status of this material seems to be somewhat different from the other kinds of things I have been talking about.

The important point we want to make is that items in all of these categories can do more good in indigenous communities today than in storages and drawers in museums, but they may require different forms of request to the institutions that hold them. This research phase is really critical to framing requests in ways that will be persuasive.

I agree also that the definition of “aboriginal cultural property” needs to be further refined, as stated earlier by Dean Oliver.

I will now turn our presentation over to Anong Beam, who will address the critically important need for the bill to support indigenous community infrastructure.

● (1230)

The Chair: Before you begin, I'm just going to stop the clock for a second. I just wanted to highlight that you had 10 minutes, and you are at almost nine right now.

There will be an opportunity to get information out through questions as well, and someone might be able to help you there. I just wanted to flag the timing, because we're a bit short for you, Ms. Beam.

Ms. Anong Migwans Beam (Executive Director, Ojibwe Cultural Foundation, The Great Lakes Research Alliance for the Study of Aboriginal Arts & Cultures): Okay. I'll be brief anyway.

I'm the executive director of the Ojibwe Cultural Foundation. I'm from Manitoulin Island. It's located in Sheg First Nation.

We are an indigenous-controlled and run public arts-based museum and cultural centre. We represent the six first nations of the United Chiefs and Council of Mnidoo Mnising

We also have collection space. We were founded in 1974, so we are one of the longest-running indigenous cultural spaces in Canada. To my knowledge, we are one of the only indigenous cultural centres that has facilitated repatriation from our own collections to neighbouring first nations. In our experience of these matters, it is incredible to see what these objects can do when they come back.

One of the images you saw in the slide show, of the thunderbird on the Great Lakes bag, was seen in an exhibition, Patterns of Power, curated by my colleague Ruth, by an artist in our community. He was really struck by the image that came from our community, which was living and fully housed in Ireland. He created a piece of artwork for our centre, which is the thunderbird. It is the logo of our people, our community, and it is etched in the floor of our building, yet we've never seen the original or anything close to an original.

There's a huge amount of interest in revitalizing traditional arts in our centre. We have a lot of interest in textiles and fibre arts.

At this point, we have not been able to display any original pieces. The closest that we came was inviting an incredibly talented woman, Renee Dillard, from Harbor Springs, Michigan, who is *anishinaa-bekwe*.

She comes to visit us after many visits to the Smithsonian institution, where she has viewed similar such fibre arts from our region. Through viewing and accessing them in the Smithsonian, she's relearned some of these techniques and comes back to visit us with the replicas she's made from seeing those pieces. Our community is incredibly excited and honoured to have that level of engagement with these artifacts.

We have an 11,000-square-foot building. We have security, heating, and cooling, and we are in the process of becoming category A for movable cultural property. We have all of the ability. What we lack is the core funding to support continuity of staff.

The fact is that we depend on a lot of FedNor funding, or small and deeply appreciated grants that fund positions for first-time graduates. What happens is that we end up training a graduate; then they work for the year, and we don't have the means to keep them for another year. As soon as we are done the year and we have an employee who is well versed in collections management and care, displays, creating didactics, and teaching classes, we lose them. This happens over and over again.

When we are approved for a certain amount of funding, it's usually six months before we are able to fill the position, because we are not in a major centre. Our access to individuals with the skills that are needed is minimal at best. Being able to retain our staff is a huge need.

I've been informed by different members of the federal government and INAC that arts and culture are not part of the Indian Act, and they owe us no responsibility to fund core positions in this manner. I was told to write a letter to Justin Trudeau about my concerns on the issue.

I'm hoping that in your consideration of this bill, you will listen to some of the incredible people who have spoken today, and others who I'm sure you'll hear from later, and affirm our ability to have continuity of staff to care for, display, and teach about these objects.

Meegwetch.

● (1235)

The Chair: Thank you for that.

I'm sure you will have more opportunities to add to your comments.

We will be going to our question and answer period, beginning with Mr. Long, please.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Madam Chair.

Thank you to our presenters this afternoon. It's fascinating. Thank you for speaking on Bill C-391.

Chief Googoo, my first question is to you.

From the Assembly of First Nations, how do you see your involvement in the creation and rollout of the action plan? Can you drill down on that for me, please?

Regional Chief Morley Googoo: Yes.

If you look at the other acts, for instance, we're co-operating with the language act and making it work in education. The whole principle and foundation of our work is to have co-development, to make sure we are involved.

We have tons of expertise across the country. We have the information of those experts. It's tapping into that expertise to be able to contribute to something that's more inclusive of everyone's concerns. There are 58 different nations, tribes, in this country. AFN has experience in protocols in respect of those territories and all of that.

Contributing something, whether it's in the preamble, whether it's additional amendments, I think is where AFN could be a very strong ally and work with all of our partners.

Mr. Wayne Long: Are there any other key stakeholders you would like to see involved?

Regional Chief Morley Googoo: It's right in my notes here earlier that there was a conference to bring repatriation from the Smithsonian museum. They have over 800 items of Mi'kmaq property there, but they're working with the Confederacy of Mainland Mi'kmaq on a loan basis, so there are systems and things that are.... It doesn't have to be one position to another.

We're in a new narrative. We're trying to build a very good, healthy identity, and education is key to that. I think the more people you involve...sometimes you think it's worse, but in this case I think it's better, as long as you know what the main goal is, which is to make sure we have our identities.

Mr. Wayne Long: Besides financial support, how would you like to see the federal government involved?

Regional Chief Morley Googoo: I think the federal government can be involved by making sure about those international contacts. In terms of the assembly of Nova Scotia chiefs, there's regalia of the Nova Scotia chiefs in Australia. We can't bring it back, because they want to make sure we're going to take care of it properly. What are Canada's rules? What are Canada's laws? How will the diplomacy and the processes assist indigenous people here?

I think it's very important that Canada encourages the museums and that Canada looks at the whole new narrative. It's not the old narrative. As well, help build capacity for us. As you heard, we need core funding in organizations. We need more centres and facilities.

Mr. Wayne Long: Thank you.

Ms. Beam and Ms. Pash, I want to talk very quickly about the museum assistance program. There is funding available for repatriation. Have you applied for that funding?

Dr. Sarah Pash: We frequently apply for funding from the museum assistance program. Normally, we use it for exhibit development and things like database development. The problem with the museum assistance program as it stands right now is that the aboriginal sector of the program is funded at a lower level than the mainstream program.

● (1240)

Mr. Wayne Long: How would you improve it?

Dr. Sarah Pash: I would open up the program and rewrite it so that the same funding amounts were available to indigenous organizations through the aboriginal program funding stream under MAP. I would also look at the requirements that institutions had to meet in terms of numbers of staff and whether they're open full time during the year. A lot of that is very restrictive. A lot of first nations cultural institutes and museums across the country aren't able to apply for that type of funding.

I chair the Canadian Museums Association's reconciliation program council, so I know there are recommendations coming out of that council related to MAP and the re-envisioning of MAP specifically related to that programming stream. There are a lot of problems, however, in the way the program requirements and the caps are set up in terms of the funding available.

As I said earlier, really, if we are going to ship artifacts from the 1840s or from the late 1700s back to our communities, we have to remember that shipping an item like a woman's beaded hood back to our community can cost us $20,000 or $30,000. If we're talking about having a funding program that's capped at $50,000 or $60,000, then there's not a whole lot we can do with that.

Mr. Wayne Long: Yes. Okay. Thank you very much.

Ms. Beam, can you add to that?

Ms. Anong Migwans Beam: We are currently grateful recipients of MAP funding. My take on it is that it's an incredible program, but it's a program, and now, because there is no core funding for institutions like ours, we end up having to shoehorn our own maintenance and objectives and ongoing activities into the format of MAP.

If you're successful in accessing this program, it goes on for two years. Considering we've been running since 1974 and are anticipating many great decades ahead, MAP would be absolutely exquisite if we were fully funded with core organizing in place and we could use MAP for specific projects. That would be ideal.

Mr. Wayne Long: Thank you.

This question will be for Chief Googoo, Ms. Pash and Ms. Beam.

The Chair: I warn you that you have 45 seconds.

Mr. Wayne Long: I can't get that into 45 seconds, but I'm going to try.

My riding is Saint John—Rothesay, the traditional territory of the Mi'kmaq and Passamaquoddy, but we don't have a significant population of indigenous people in our community. Our office tried to get an elder to speak at an event. We couldn't even get anybody. That's a problem in Saint John—Rothesay, so folks in my community aren't aware of the rich indigenous history of Saint John—Rothesay.

The intent of the bill is to help facilitate the repatriation of indigenous cultural artifacts, including, as per subclause 3(b), by encouraging the owners, custodians and trustees of aboriginal cultural property to return such property to the indigenous groups where they rightfully belong.

As indigenous leaders, do you believe that all indigenous cultural property ought to be returned to the possession of the indigenous group, or is there room, for example, for a non-indigenous museum like the New Brunswick Museum to be involved in having artifacts?

The Chair: Unfortunately, I'm going to have to ask you to either submit that answer in writing or to bring it out through perhaps one of the other questions. We are getting tight on time.

We will now be going to Mr. Shields, please.

Mr. Martin Shields (Bow River, CPC): I will help you out, sir, because that's a very interesting question, and I would like to hear a response, because I think that's an important piece of this.

Regional Chief Morley Googoo: If you don't mind, I will go first.

I think it's a very important question, the whole thing, and telling our story. Canada is doing the right stuff in reconciliation, giving that space an opportunity for making a new relationship with indigenous people.

Education is lacking. We all went to school. What was taught in your books? I remember the Prime Minister said during the time we announced the TRC calls to action that he went to a private school. He said he wasn't going to make it secret. He was in a private school and he guessed everybody knows that, but when they got to the indigenous chapter, the teacher said they should skip it because it was boring.

In today's society we all strive toward bringing better values of diversity of our people and all that, but look at what happened in Nova Scotia when we had the Cornwallis statue situation, and everywhere else. Non-education brings racism and doesn't bring out the good values of our people.

If you look at first contact—not the show, but first contact itself—it was like an Atlantic tsunami wave that comes and erases the culture. When you find nobody in New Brunswick and Nova Scotia, it's because the tsunami wave was first contact. The wave didn't reach B.C. Then we ask why B.C. has all these very cultural vibrant places. The wave comes back. We're affected the most and the longest by with European contact.

This is why we need repatriation of those items to properly tell those stories, because right now our people are trying to learn their identity. Remember—one minute, and I'm closing on this—we were labelled Indians, then savages, then Indians again, then aboriginals, then after the longest time everybody was comfortable with first nations people. Then overnight we were indigenous people. We keep getting relabelled because we can't tell our own story. We have other people telling us on our behalf who we are.

I'm Mi'kmaq. The day will come when it's not a hindrance on the government that there are too many tribes. There are 58 tribes here. Embrace that. Don't look at it as a problem. We're not the Indian problem. There's a vibrant diversity of cultures here. My kids need to learn the Mi'kmaq way, but they have learned the Algonquin way, the Cree, the Dene. They borrowed those styles because they really wanted to be part of the identity of an indigenous person. I need to be able to teach them properly by bringing some of that stuff back home properly, whether it's tapes or whatever.

● (1245)

Mr. Martin Shields: But the question is how we get it to the other sources. You get it back; then how do you share it with us?

Regional Chief Morley Googoo: I just got on the phone this morning about the Smithsonian and the position of the CMM.

There are some artifacts that cannot be moved. There is a sweat lodge with branches and everything that are preserved. If you move those, they will fall apart. They are frail.

It has to be a co-development. When we say “co-development”, we're not saying we need to develop our own legislation and put our efforts there. It's more important that we teach everyone. We want to go into partnership with those museums and share, but having the flexibility that some of that stuff is going to go back home to our people is so important and critical.

Dr. Sarah Pash: In terms of the question about what stays in museums and what goes back to communities, the key is really that indigenous communities and nations need to be the leaders in the discussion, because the expertise about the objects lies in the communities.

In my opening remarks I talked about the fact that within mainstream museums, within museums in the south that are outside our territory, where our objects have ended up, we know there are objects there that have not been properly taken care of. The expertise to take care of these properties lies within our communities, because it's based in our spirituality and our tradition. What goes back and what stays needs to be placed in the hands of indigenous communities.

Mr. Martin Shields: We've gone past that. Suppose you have it back; you have your stories; you know it. How do you then share that with us? That's the question.

I'm past it being in a museum. It's back; you have it, you understand it, and you're teaching it. How do you share that, then, with us?

Dr. Sarah Pash: We have great relationships that we've developed with southern museums. We have loan agreements with them. We also develop our own travelling exhibits that we share with museums across the country.

Just now we have a travelling exhibit, entitled “Footprints: A Walk Through Generations”, that highlights important aspects of our culture and our history. It will be travelling across the country. It will be at the national Museum of History for quite an extended stay.

● (1250)

Mr. Martin Shields: Can you get it out of the museums? Can you get those artifacts out of structures and get them into the communities? That's where I'm going.

The museum across the river is a great one, but what percentage of Canadians ever go there?

Dr. Sarah Pash: It's all about creating partnerships and collaborations. Those have to be well thought out, but the will is there on both sides in terms of indigenous cultural institutes such as ours and in terms of southern museums and other public education organizations.

I don't think it's a huge concern. I know it's just all about developing partnerships and collaborations, and the will is authentically there.

Mr. Martin Shields: Okay, great.

Ms. Anong Migwans Beam: I'd just mention that anybody who has been in the collection rooms of indigenous collections at the Royal Ontario Museum, or any of these other museums, will understand the sheer volume of artifacts that we're talking about. This is in no way going to lead to an emptying out of these institutions. What we're talking about is the ability to pick certain items that relate directly to our communities—stories and techniques that we are specifically trying to revive—and creating online exhibitions and touring exhibitions that we can share with all Canadians.

These artifacts that have languished in storage, that for certain anthropologists or museum directors hold not that much interest, from our community's standpoint can tell huge stories and be life-changing.

I had the experience of showing a ceramic shard to a first nations ceramicist on Manitoulin Island. He has been practising ceramics his whole life and was consistently told that what he was doing was not traditional. I was able to show him a pot that dated from year zero, a photograph, and to see this man's face as he realized that he was part of his own tradition.... We want to build on that. We want to share back to that.

There is also an assumption that first nation centres primarily serve our own people in our mandate, and we do, but our visitorship is broad and huge. It comes from all walks of Canadians.

Mr. Martin Shields: I'm not worrying about you emptying museums. Don't worry about that. It needs to go back to where it belongs, so don't worry about emptying museums. That's not a concern.

The Chair: Right.

Mr. Martin Shields: Thank you.

The Chair: Thank you.

Monsieur Nantel is next.

[*Translation*]

Mr. Pierre Nantel: Thank you, Madam Chair.

I want to thank everyone.

Your testimony is extremely deep. It is a look at the issue of aboriginal artifacts. It's not theory, and it is not a set of columns in a budget; we are discussing the entire relationship with history.

Ms. Beam, as an artist—and I have noted that you are an excellent painter—and as a member of the aboriginal commissioners collective, you had to talk to an artist who had closer look at what is happening at the Smithsonian Institution. You could not get that information firsthand. It's not something you could go see.

I understand very well what you just explained by giving the example of your ceramicist colleague from Manitoulin Island. This goes beyond cultural mediation with “white southerners”. It's a search for personal and emotional identity.

Ms. Phillips provided a list of works that need to be found. I am under the impression that the ideal is often the worst enemy of the better. I foresee many complex steps to be made, but I got the impression from Ms. Pash that it was urgent to stipulate that, with the exception of gifts made to consuls or ambassadors, overall, a sort of pillaging has taken place. You are claiming the right to not only recover the items, but also obtain damages. That is part of the reconciliation movement.

Ms. Pash or Ms. Beam, would you like to answer this question?

[*English*]

Ms. Anong Migwans Beam: Yes, it definitely is. This is a big healing. It's a chance for all these artifacts....

I wanted to propose concrete steps to moving forward, especially when an institution has an artifact and it's proposed that it be repatriated to a home community or an interested community. In our instance—say, if it were this bag we were looking for—I would propose from the Ojibwe Cultural Foundation, because we have a workshop and because of the way our foundation is laid out, that we have a display of the past for the museum, a contemporary art space for the present, and an open studio for craftspeople for the future.

If there were a piece like this that we were interested in, I would like to see the piece come back and be examined by our craftspeople, and that we would create a replica and then return the replica to the institution it was repatriated from. In that way that community would have a more engaged understanding of the artifact they have returned home and we would create a relationship between our institutions and perhaps learn how they do their caretaking and their museological studies and all of that kind of thing.

● (1255)

[*Translation*]

Mr. Pierre Nantel: Thank you.

Ms. Pash, go ahead.

[*English*]

Dr. Sarah Pash: In terms of reclaiming our ways, our spirituality and our practices, repatriation is really important to us.

I spoke about the woman's hood that we found in a museum in Montreal. Those hoods are similar to hoods used by other Algonquian nations, like the M'ikmaq, and they are a very important part of spiritual practice and our ceremonial lives. The hoods have not been seen in our communities since the 1800s, and the knowledge of them is very quickly dying out.

The ability to repatriate those types of items has a lot to do with community healing, our spiritual health and renewing our ceremonial lives. As a nation that has been dealing with European incursion into our territories since the mid-1600s, with the early missionary work and the residential school experiences and all the fallout from all that history, before we lose this generation of elders, we are trying desperately to reclaim those types of knowledge and that type of ceremonial knowledge and the ability to truly come into ourselves and our identity in a very deep and spiritual way.

These types of objects are key to that. The ability to do research within our communities with these objects is the most important way we have found of reviving those traditions and that ceremonial life.

[*Translation*]

Mr. Pierre Nantel: I must say that this spiritual aspect is a revelation for me. Beyond the heritage aspect, I did not foresee this spiritual element. Although I have been working with Romeo Saganash, an exceptional human being, that aspect is always something to be relearned. I must always get familiar with that reality again.

Thank you very much for your testimony.

[*English*]

The Chair: Did you want two minutes, Mr. Hogg? We have two minutes.

Mr. Gordie Hogg: I'll talk as fast as I can. Thank you.

The Chair: Well, be nice to the translators.

Mr. Gordie Hogg: Regional Chief Googoo, you talked about the Assembly of First Nations not taking a position on this bill, and then you listed a number of things you thought needed to be done to make it better, such as funding, repatriation, looking at cultural items, developing domestic and international catalogues, and co-development processes in legislation.

A lot of the things we were talking about seem to be things that need to be attached around the bill in terms of resources to make the bill function. I think we've talked about both of those things, rather than just focusing on the bill, and I understand that. That's an important part of it, being able to change.

The Semiahmoo people where I live had a welcoming pole taken down by the department of highways about 10 years ago and trucked off someplace. It took years to find it. They just put it up. The province has paid for putting it up at the Peace Arch border crossing. It's a beautiful Haida pole.

Bill Casey came to talk to us about this bill and said that we just want to get on with it and get something happening. Do you think this could be phased in, so that we could actually pass some of the legislation that talks about getting it there and then build all of these other pieces? If we're going to do all of the things we want to do and tie it to, it's going to take us a much longer time and it will be much more robust and difficult than what Bill Casey was proposing, which was to raise some awareness about this to see if we can get something happening. Do you think this is something that could happen in two stages or phases?

● (1300)

Regional Chief Morley Googoo: We wanted to make sure we don't stay silent on this issue because it's very important, but at the same time we also take direction from our assembly. With this bill, come December, it's definitely something we're going to talk about as an assembly so that some resolution can come from it. That's just the protocol I have in speaking here on behalf of AFN.

Mr. Gordie Hogg: We have a protocol here, too.

Regional Chief Morley Googoo: Yes, I understand. I think the whole objective has been out of sight and out of mind all this time. Sometimes it's not sexy to talk about this kind of stuff, but it's very important, especially when we're in a period of reconciliation.

Mr. Gordie Hogg: Absolutely. Thank you.

Regional Chief Morley Googoo: I'd just like to make one more comment. I just want to mention a quick story for my wrap-up of why it's so important to tell my story as a Mi'kmaq person and have the artifacts to help me tell the correct story. We were influenced so much during the time when our ceremonies and everything else were looked at as witchcraft. Our artifacts were looked at as costumes and very beautiful decorations.

I just lost my headdress last year in France when I took the kids there. They sailed the Atlantic Ocean from Halifax to France on a tall ship, and somewhere along the way it disappeared. It was my headdress and vest. I couldn't find them.

It's still beautiful, and people love it. Why is it so important for us? Every one of you here has ancestry somewhere that connects back to your home country, and you use the story all the time. How many times have you seen a movie in which a person loses themselves, and they go on a trip back home, whether it's Scotland, Ireland or England, and they come back as a new person afterwards, after they find themselves? As a Mi'kmaq person, where do I go? I'm in Mi'kmaq territory. My grandkids cannot go anywhere else if I don't do my part to tell the real story of what's left here in Mi'gma'gi. It's the same with the Algonquin, the Cree and the Dene—all of us.

All this time Canada has looked at us as one group of the same people, but I have a responsibility. There is no movie that I can make about a kid who goes to England or Spain and finds himself. If I don't do my part here, and we don't do this part, that kid is going to be even more lost. We know the stories of suicide today and the people we've lost. We all have a responsibility to make a really positive solution.

I wanted to just close with that story. Thank you.

The Chair: I think that's actually a perfect place to end our discussion today, so thank you very much for that.

Thank you to all of our witnesses.

That brings this 122nd meeting to an end.

The meeting is adjourned.