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1. Introduction

The First Nations Child and Family Caring Society of Canada is a non-profit organization established in 1998 at a national meeting of First Nations child and family service agencies from across Canada. The organization works to ensure the safety and well-being of First Nations youth and their families by developing education initiatives, public policy campaigns, and resources to support communities. Using a reconciliation framework, the Caring Society champions culturally based equity for First Nations children and their families. The goal of the Caring Society’s work is to ensure that First Nations children can grow up safely at home, be healthy, achieve their dreams, celebrate their languages and culture and be proud of who they are.

The Caring Society proudly collaborates with partners in Canada and around the world to promote the rights of First Nations children, young people, and their families.[[1]](#footnote-1)

1. Issues

Internet Access is a Basic Human Right

The United Nations has recognized access to the Internet as a basic human right for nearly a decade.[[2]](#footnote-2) In Canada, the federal government has described Internet access as a “necessity” for Canadians,[[3]](#footnote-3) and the governmental agency that is responsible for telecommunications has declared access to broadband Internet a basic essential service.[[4]](#footnote-4) Similar declarations have been made in countries as diverse as Finland, Costa Rica, Estonia and France, where laws and policies have protected Internet access as a human right.[[5]](#footnote-5) These developments reflect the crucial role that Internet has come to play in today’s society, in which many of our personal and professional opportunities are only available through digital networks and devices. In today’s world, access to reliable and high-speed Internet is critical to every-day necessities such as accessing government services, applying for jobs, and receiving medical test results. In the context of a pandemic during which citizens are called to remain socially distanced, Internet access is essential to participation in an increasing variety of daily functions. This ranges from attending school, managing one’s personal finances and conducting banking, to accessing critical public information about public health risks and guidelines. In Ontario, for example, booking a COVID-19 test must be done online. In light of this, it is not surprising that Internet access has been described as a *rights enabler*: a right that is vital to the realization of other basic freedoms and human rights.[[6]](#footnote-6)

Despite the growing recognition that Internet access is a fundamental human right, significant inequalities persist around access to steady and sufficient Internet service. The *digital divide* is a term that describes “the very large difference in opportunity between those who can easily access computers and the [I]nternet and those who cannot”.[[7]](#footnote-7) The digital divide disproportionately affects vulnerable groups that already face barriers to opportunity and success. In this way, the digital divide mirrors and exacerbates pre-existing inequalities. Despite Canada’s ranking as 13th in the world on the Human Development Index, many Canadians living with structural barriers or in at risk situations do not have equal access to the Internet.[[8]](#footnote-8) For example, people in rural areas, low-income families, women, and Indigenous groups are more likely to encounter difficulty in securing high-quality Internet access.[[9]](#footnote-9) There are a number of interrelated factors that contribute to the digital divide, including the costliness of broadband Internet service and poor connectivity, particularly in remote and rural areas.

Because of the federal government’s failure to invest in adequate infrastructure for communities to thrive, First Nations Peoples living in Canada are more likely to face barriers when seeking to access the Internet.[[10]](#footnote-10) These barriers will be discussed below.

Only 31% of Households on First Nations reserve have Internet Access

The Canadian government has failed to ensure that First Nations communities have equal access to the basic right of Internet service. In addition, it has not collected accurate data regarding the number of First Nations families and children that are denied this basic right. However, many studies and surveys have attempted to measure the extent to which First Nations Peoples in Canada are impacted by Canada’s failure to adequately invest infrastructure in these communities. The Canadian Radio-television and Telecommunications Commission’s 2019 Communications Monitoring Report found that only 31.3% of households on First Nations reserves and 40.8% of rural households have broadband Internet access. In contrast, it found that 97.7% of urban households that are not on reserve have broadband access. Regionally, the northern territories, where a higher proportion of First Nations peoples reside, fall far behind the rest of the country in widespread Internet access. While the national average for household access to broadband Internet is 86.5%, only 61% of households in the Northwest Territories have access.

In addition to lack of connectivity access, the digital divide facing First Nations children and youth is exacerbated by their lack of access to digital devices. Reg Klassen, the chief superintendent for the Frontier School Division in Manitoba, which serves First Nations children, estimates that “we have about 50% of our students who probably have access to...quality connectivity. And of those 50% I would say less than half probably have a device at their disposal that they can use very frequently.” Tobi Wilson, a school teacher at Jack River School in the Frontier School Division, paints a similar picture. After the pandemic forced students out of the classroom, Wilson distributed a questionnaire to families about their technology access at home. She found that only 20% of her students had access to the Internet and a computer, tablet, or phone that they could regularly use it on.

With the COVID-19 pandemic forcing children out of regular schools, reliable and high-speed Internet access is critical to ensure that children can engage in classroom learning at home. Broadband Internet access is essential for remote education tools, such as virtual class instruction and interactive group learning. Although Canada has acknowledged that Indigenous communities “face unique connectivity issues, jeopardizing their access to pursue education,” it has not taken meaningful action to ensure that the digital divide does not prevent First Nations children from learning amidst the pandemic.

On the ground impact(s) - what barriers does this cause?

It is clear that the COVID-19 pandemic is threatening to remove students from the immersive learning environment created in a classroom.[[11]](#footnote-11) First Nations communities were largely spared from the feared coronavirus outbreak during the first wave after implementing strict measures to protect themselves from COVID-19. Current trends in daily cases suggests that the second wave will disproportionately impact this population that predisposed to increased risks due to historical and contemporary forms of colonialism.[[12]](#footnote-12)

The next best alternative to the classroom environment is to replicate it via online learning. However, this is either difficult or impossible to implement in many First Nations communities, because “the government has not adequately invested in the infrastructure needed for Indigenous communities to have fast, reliable [I]nternet.”[[13]](#footnote-13) Virtual replication of the classroom environment is critical for effective learning, maintaining social relationships, and a sense of consistency as the school year is disrupted by school closures and mandatory isolation orders. As experts have noted, “digital media can make learning more accessible, inspiring and engaging for students, offering them greater incentive to finish school,” or, “in light of the current situation, offer a greater incentive to remain in school.”[[14]](#footnote-14) First Nations children are being confronted with additional barriers to receiving an education, and are suffering disproportionate consequences due to the inadequate and sometimes non-existent Internet in their communities. There is a serious potential for the lack of Internet access to adversely impact the quality of education that First Nations children receive, which may deter these youth from remaining in school. It is significant to note that even prior to COVID-19, the rate of high school graduation for First Nations youth was a fraction of the rate for non-Indigenous youth.[[15]](#footnote-15)

The on the ground impact that this issue is having on First Nations children’s access to education is already becoming clear. While many students not living in First Nations communities are receiving their education through online platforms, students such as those attending the Antler River Elementary School in Chippewas of the Thames First Nation are being forced to self-teach with workbooks.[[16]](#footnote-16) Students in the northern Manitoban community of Shamattawa are facing a similar situation—the “very slow and unreliable” Internet service has made the delivery of online classes impossible.[[17]](#footnote-17) The inadequacy and inaccessibility of Internet on First Nations reserves is compounded by pre-existing barriers and access concerns. Speaking on behalf of the Northern Nishnawbe Education Council, the executive director cites that even if Internet is accessible and of sufficient adequacy, many students “may not have access to a learning device… access to a study space…” or even clean drinking water.[[18]](#footnote-18) These challenges will make it even harder for children living on First Nations reserves to thrive in their educational efforts.

This issue also has the potential to deepen existing inequalities between First Nations children and non-First Nations children because the former is not able to receive as high of a quality of education. “The spread of COVID-19 has and will continue to exacerbate an already critical situation for many Indigenous peoples: a situation where inequalities and discrimination already abound.”[[19]](#footnote-19) Education is instrumental in increasing or decreasing the barriers that First Nations peoples already face. In situating the importance of education within a broader context, we must recognise the multitude of additional issues that arise when children do not receive a proper education. Lower quality education, or a lack of education altogether, limits access to jobs and professional opportunities, leading to lower socioeconomic and health outcomes. “Lower educational attainment and lower income are inextricably tied to increased rates of homelessness and the over-representation of Indigenous peoples in the prison system.”[[20]](#footnote-20)

School—even when delivered virtually—provides a place for students to interact with one another and develop peer and community bonds. It also provides important mental health supports like counselling services and food programs, which are especially needed for students in low-income homes.[[21]](#footnote-21) It has been determined that negative mental health consequences are arising as a result of COVID-19’s school closures and mandatory isolation—something that children in First Nations communities will disproportionately experience as they are already living in isolated locations and are less likely to access online school.[[22]](#footnote-22)

The deputy grand chief of the Nishnawbe Aski Nation (NAN), which represents 49 different First Nations groups in northern Ontario, has reported that the 9,000 elementary and high-school aged children in these communities are already experiencing isolation and facing difficulties due to the COVID-19 pandemic.[[23]](#footnote-23) 32 of NAN’s 49 communities do not have access to high speed broadband Internet, making video instruction and other digital education tools inaccessible. Further, First Nations communities, even before the COVID-19 pandemic, “experience[d] mental health problems and their consequences… at significantly higher rates than the general population, and young people are the most dramatically affected.”[[24]](#footnote-24) The disproportionately high prevalence of mental health problems in First Nations communities is likely to be deepened by the lack of access to online learning.

Intersectionality of impact

It is important to note that there is an intersectionality of issues which arise due to the lack of adequate and accessible Internet in First Nations communities. The needs of students with disabilities has largely been overlooked in the shift from classroom to online learning.[[25]](#footnote-25) Because “the disability rate among Indigenous children was found to be twice that of the general population,” these children will disproportionately face additional challenges and barriers.[[26]](#footnote-26) To be successful in school, individuals with learning disabilities require a variety of supports, the delivery of which will already be compromised with online learning.[[27]](#footnote-27) First Nations children with disabilities who are also unable to participate in online learning will consequently have access to an extremely limited supply of required supports, and therefore receive an even more compromised education.[[28]](#footnote-28)

1. Recommendations

The Caring Society asks the Committee on the Rights of the Child to emphasize the following principles in its general comment:

* Internet must be regarded as both a human right in itself and an indispensable means of realizing other human rights for children and youth;
* States must ensure all children and youth have equal access to the same quality and reliability of Internet access;
* States must take all reasonable steps to increasingly promote digital literacy in children and youth especially those living with structural barriers or in at risk situations, without discrimination on any of the prohibited grounds;
* In the context of public health urgencies, such as the COVID-19 pandemic, states must implement emergency temporary measures to ensure that children and youth who did not have equal access to the Internet continue to enjoy the right to education, leisure, health, access to the media…;
* If Internet is provided by private actors, States must require these providers to Internet ensure equal quality and reliable Internet access to all children and youth.
* States must regulate service providers so that they offer fair rates that are equally affordable in all parts of the country; and
* States must ensure that children and youth can access the Internet safely, confidentially and independently in public spaces, such as public libraries, schools and post offices.

1. A special note of thanks to Maria Patterson and Amy Goudge from the University of Ottawa for writing and researching this report. [↑](#footnote-ref-1)
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