



# 2019 Indigenous Connectivity Summit Policy Recommendations

January 2020

Each year, the community-led Indigenous Connectivity Summit brings together Indigenous leaders and community members, community network operators, Internet service providers, researchers, and policy makers with a common goal: connecting Indigenous communities to fast, affordable, and sustainable Internet.

In the six weeks leading up to the 2019 Indigenous Connectivity Summit (ICS) in Hilo, Hawai'i, the Internet Society held a virtual Policy and Advocacy Training series for Indigenous individuals from Canada and the United States. Of this group, four participants from different geographic areas were selected as 2019 Indigenous Connectivity Summit Policy Advisors.

The Policy Advisors<sup>1</sup> were tasked with spearheading the development of policy recommendations based on the discussions at the Summit. They attended various breakout sessions and developed a preliminary list of recommendations based on participant discussions. The recommendations were then presented to the full group of ICS participants for further discussion and approval.



Community members of Pu'uuhonua O Waimanalo work together to learn how to use and install the Internet during the Internet Society/ Pu'uuhonua O Waimanalo training session. © 2019 Elyse Butler

The following were adopted as the 2019 ICS Policy Recommendations, in no particular order of importance, as all are considered equal priority:

1. Native Hawaiians must be included as a Tribal Nation under the Federal Communication Committee's definition.
2. Indigenous (Tribal, Native Hawaiian, First Nations, Alaska Native, Metis, and Inuit) governments and/or representative organizations must be engaged during the early planning stages of any project or policy that may affect their communities or land. By working with Indigenous communities early on, non-Indigenous entities may be able to form mutually beneficial and lasting relationships. Furthermore, Indigenous governments will be empowered to play an active role in the projects and policies that impact their communities.
3. All Indigenous communities are unique, so engagement must be made on a community-by-community basis. The guidelines used by the Government of Canada<sup>2</sup> may be a good starting point. Critically, this engagement should not be considered "tick the box" collaboration, but rather an opportunity to help Indigenous and non-Indigenous entities work together and form meaningful partnerships. Engagement guidelines should include information for non-Indigenous entities about who to contact within their community, the appropriate way to contact them, and some tips for smooth communication.
4. The Federal Communications Commission (FCC) should push back the Tribal Priority window for the 2.5Ghz Educational Broadband Service (EBS) Spectrum in the United States. Participants strongly agreed that the window should not begin until spring 2020 at the earliest and extend it from a 90-day

1 This group included Brandon Makaawaawa (Nation of Hawaii), Darrah Blackwater (Navajo Nation), Darrian Danner (Alaska Native), and Ula Shirt (Piiikani First Nation). The Internet Society would like to sincerely thank this group of individuals for their time and assistance.

2 The Government of Canada has a duty to consult with Indigenous groups on all matters that might affect existing or potential Indigenous or treaty rights. More information can be found on the Indigenous and Northern Affairs webpage: <https://www.aadnc-aandc.gc.ca/eng/1331832510888/1331832636303>

window to a 180-day window at minimum. The FCC must also increase its efforts to promote this opportunity in order to reach all Tribal entities and educate them about the potential impact.

5. Policymakers should work with appropriate representatives to improve and enforce accountability standards for companies or non-Indigenous entities working with Indigenous governments or other representative bodies. For example, funds provided by governments to connect Indigenous communities must be used in a demonstrably effective and efficient manner. In short, value for money spent.
6. Organizations and agencies that use data on or intellectual propriety of Indigenous Peoples for their own purposes without consulting the owners of the knowledge should be held accountable. Metrics to determine the parameters of use for this data should be developed in consultation with appropriate representatives. The First Nations Principles of OCAP<sup>3</sup> may serve as a guide.
7. Policymakers should ensure that when new federal development funds for broadband are created, the criteria for applicants do not exclude Indigenous governments or community members. They should also open funding to all kinds of providers, including small or community-run networks.
8. Federal regulators should ensure that Indigenous governments and Indigenous-owned entities have first rights to the spectrum over their lands. Unused spectrum over Indigenous lands should be reallocated for Indigenous use.



Group photo of the Pu'uuhonua O Waimanalo Internet Society training session on Oahu © 2019 Elyse Butler

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3 Ownership, Control, Access, and Possession. OCAP are a guiding set of standards “that establish how First Nations data should be collected, protected, used, or shared. They are the *de facto* standard for how to conduct research with First Nations.” <https://fnigc.ca/ocap>