
Assembly of First Nations

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Assemblée des Premières Nations

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SPECIAL CHIEFS ASSEMBLY
December 5, 6 & 7, 2017, Ottawa, ON

Resolution no. 77/2017

TITLE: Support for continued co-development work on the Indigenous Languages Act

SUBJECT: First Nations Languages

MOVED BY: Chief Ron Ignace, Skeetchestn First Nation, B.C.

SECONDED BY: Chief Duke Peltier, Wikwemikong Unceded First Nation, ON

DECISION: Carried by Consensus

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
 - i. Article 13 (1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
 - ii. Article 14 (1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- B. The Final Report of the Truth and Reconciliation Commission and its 94 Calls to Action include specific calls (13, 14, 15 & 16) about Indigenous peoples' language revitalization and was fully supported by the Chiefs-in-Assembly through Resolution 01/2015 *Support for the Full Implementation of the Truth and Reconciliation Commission of Canada's Call to Action*.
- C. In 1998, a state of emergency on First Nations languages was declared by the Chiefs-in-Assembly, Resolution 35/1998 *First Nation Languages* which states:

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- i. "That the Government of Canada act immediately to recognize, officially and legally, the First Nation languages of Canada, and to make a commitment to provide the resources necessary to reverse First Nation language loss and to prevent the extinction of our languages..."
- D. On December 6, 2016, Prime Minister Justin Trudeau announced to the Assembly of First Nations (AFN) Special Chiefs Assembly that the federal government will "enact an Indigenous Languages Act, co-developed with Indigenous Peoples, with the goal of ensuring the preservation, protection, and revitalization of First Nations, Métis, and Inuit languages in this country."
- E. On June 15, 2017, a Joint Statement was issued by Canadian Heritage, the AFN, Inuit Tapiriit Kanatami and the Métis National Council which includes that the parties will:
 - i. Co-develop legislation in a way that supports the full and meaningful implementation of the Truth and Reconciliation Commission (TRC) Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples and the federal government's commitment to a nation-to-nation, government-to-government, or Inuit-Crown relationship.
 - ii. Co-develop legislation that recognizes First Nations, Inuit and Métis language rights and jurisdictions, and that recognizes that Indigenous languages are fundamental to Indigenous self-determination. Such legislation would, among other things, further affirm and address the right of Indigenous peoples to revitalize, use, develop and transmit their languages to future generations, including through the control of their educational systems and institutions. The recruitment of new speakers is imperative to the work of Indigenous languages revitalization and should begin with early childcare and continue in elementary schools, high schools and adulthood. Language revitalization should be inclusive of all community members both in and out of communities.
- F. The AFN hosted engagement sessions from June to October 2017 with more than 500 participants—Regional Chiefs, Chiefs, AFN Chiefs Committee on Languages members, language champions and activists, fluent speakers, knowledge keepers, Elders, Indigenous scholars and linguists—from all regions.

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Adopt the *Assembly of First Nations First Nations Indigenous Languages Initiative National Engagement Sessions Report*.
2. Adopt the principles below, drawn from the Report referred to in paragraph one. These principles shall inform the framework and approach that the Government of Canada must employ, together with First Nations governments, to co-develop legislation, regulations and policies regarding the protection, promotion, preservation, revitalization, recovery and maintenance of First Nations languages.

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- i. Recognition of the importance of Indigenous language to land, culture, traditional knowledge, worldview, participation in the economy, and domestic and global relations.
- ii. Acknowledgement of the need and importance of redress of harm by colonization, destructive policies and laws.
- iii. Affirmation of commitment to the Truth and Reconciliation Commission Calls to Action, UN Declaration of Rights of Indigenous Peoples, and other key human rights instruments and principles.
- iv. Affirmation of the various approaches to languages recovery, revitalization and maintenance and the critical role of early childhood education/lifelong learning in the opportunities for language learning.
- v. Articulation of objectives for the protection and support of Indigenous languages and related rights, including intellectual property and copy rights, cultural appropriation, etc.
- vi. Affirmation of First Nations jurisdiction over Indigenous languages.
- vii. Articulation of enforceable individual and collective rights.
- viii. Articulation of specific federal obligations, duties and authorities to protect and support Indigenous languages including funding.
- ix. Acknowledge of the need for proficient Indigenous controlled systems and capacities for the archiving of, and for the provision of access to, language data.
- x. Authorities to establish suitable institutions to advance Indigenous languages objectives and rights, and that such institutions will not displace existing First Nations institutions.
- xi. Establishing annual reporting and a five year review requirements.

3. Direct the Assembly of First Nations to remind the government of its constitutional obligation to the requirement for extensive consultation based on the standard of free, prior and informed consent on the proposed languages bill upon its availability.

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