

**FIRST NATIONS LANGUAGES****OVERVIEW**

On December 6, 2016, Prime Minister Justin Trudeau announced that the Government of Canada would jointly develop legislation for the revitalization and recovery of First Nations, Inuit, and Métis languages.

On June 14, 2017, Canadian Heritage, the Assembly of First Nations (AFN), the Inuit Tapiriit Kanatami (ITK), and the Métis National Council (MNC) jointly announced the intention to work collaboratively to co-develop First Nations, Inuit, and Métis languages legislation.

Resolution 77/2017, *Support for Continued Co-Development Work on the Indigenous Languages Act*, was passed at the December 5 and 6, 2017, at the AFN Special Chiefs Assembly (SCA). The Resolution provides further support for the joint development of an Indigenous Languages Act and identifies a set of 11 principles establishing the essential expectations of what legislation should address. The principles adopted by the Chiefs-in-Assembly are:

1. Recognition of the importance of Indigenous language to land, culture, traditional knowledge, worldview, participation in the economy, and domestic and global relations.
2. Acknowledgement of the need and importance of redress of harm by colonization, destructive policies and laws.
3. Affirmation of commitment to Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, and other key human rights instruments and principles.
4. Affirmation of the various approaches to languages recovery, revitalization and maintenance, and the critical role of education and lifelong learning in the opportunities for language learning.
5. Articulation of objectives for the protection and support of Indigenous languages and related rights, including intellectual property rights, cultural appropriation and others.
6. Affirmation of First Nations jurisdiction over Indigenous languages.
7. Articulation of enforceable individual and collective rights.
8. Articulation of specific federal obligations, duties and authorities to protect and support Indigenous languages including funding.
9. Acknowledge the need for proficient Indigenous controlled systems and capacities for the archiving of, and for the provision of access to language data.
10. Authorities to establish suitable institutions to advance Indigenous languages objectives and rights, that such institutions will not displace existing First Nations institutions.
11. Establishing annual reporting and a five year review requirement.

### UPDATE

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These principles provide AFN representatives with guidance and instruction in the co-development process, including direction in relation to consultation expectations, the Memorandum to Cabinet (MC), and legislative development work.

Over the summer of 2018, Canadian Heritage conducted a series of intensive engagement sessions across Canada requesting First Nations input for the content of the proposed legislation. The AFN supported participants through the organization of preparatory engagement sessions in advance of the Canadian Heritage sessions. The engagement period (including online and written submissions) concluded on September 12, 2018.

A number of recurring themes emerged throughout the engagements. These themes echoed commentary previously expressed at Canadian Heritage's and the AFN's early engagements. Highlights include:

- First Nations language rights must be recognized and actively respected.
- Funding must be consistent, adequate, sustainable, and predictable.
- First Nations jurisdiction over languages must be recognized.
- Existing First Nations languages institutions should not be displaced.
- The role of a potential Commissioner should be limited and clearly defined.

### NEXT STEPS

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Approval of the Memorandum to Cabinet, will provide drafting instructions for the Indigenous languages Bill and the inclusion of the Indigenous representatives in the drafting process.

Upon preparation of the draft Bill, the Cabinet will review to provide approval for its introduction as a government Bill to the House of Commons in November-December 2018.

After passage in the House of Commons it would proceed to the Senate. In both the House of Commons and the Senate, the Bill will be studied and reviewed by the appropriate Committee in each chamber. The intention remains for suitable legislation to be passed before the next federal election in 2019.

Currently, the AFN is working on an advocacy strategy and an implementation work plan. The work plan would be discussed in the next phase of the co-development process. The work plan will speak to many issues, including funding, Language Commissioner operationalization, developing required policies, developing required regulations, etc.