



## ASSEMBLY OF FIRST NATIONS BULLETIN February 2019

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### Tabling of an Act respecting Indigenous languages in the House of Commons

*The Assembly of First Nations issues regular updates on work underway at the national office.  
More information can be found at [www.afn.ca](http://www.afn.ca)*

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#### **Bill C-91: Act respecting Indigenous languages**

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On February 5, 2019, AFN National Chief Perry Bellegarde welcomed the tabling of Bill C-91, an *Act respecting Indigenous languages*. The objective of the Bill, also known as the *Indigenous Languages Act*, is to reclaim, revitalize, strengthen and maintain Indigenous languages in Canada. Here is some key information about the Bill.

#### **The preamble of the Bill:**

- reiterates that the Government of Canada is committed to implementing the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), including the affirmation of Indigenous language rights
- recognizes that Indigenous languages played a significant role in the establishment of Indigenous-European relations
- acknowledges the contribution of discriminatory policies, such as residential schools, in eroding Indigenous languages
- respects that Indigenous languages are fundamental to Indigenous identities, cultures, spirituality, relationships to the land, world views and self-determination
- recognizes the Government of Canada's role in supporting the work of entities with a mandate to promote the use of Indigenous languages and to support Indigenous peoples in reclaiming, maintaining and strengthening their languages
- acknowledges that the control and initiative to lead Indigenous language reclamation, revitalization, maintenance, and strengthening is best placed in the hands of Indigenous peoples

#### **The key purposes of the Act are:**

- the promotion of the use of Indigenous languages
- the support of a multifaceted approach to Indigenous language revitalization including, but not limited to, language nests and immersion programs
- the establishment of measures for adequate, sustainable and long-term funding
- the establishment of mechanisms to work with provinces, territories, Indigenous representative organizations and Indigenous governments to create effective support for Indigenous languages in Canada
- respond to the Truth and Reconciliation Calls to Action 13 to 15,
- advance the UN Declaration as it relates to Indigenous languages

**The Act includes recognition and protection of language rights:**

- The Act states that: “The Government of Canada recognizes that the rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982* include rights related to Indigenous languages”.

**The Act responds to First Nations’ calls for funding for Indigenous languages:**

- First Nations made funding a clear priority throughout the engagement process.
- Bill C-91 addresses funding requirements in three places and obligates the Minister to consult with Indigenous peoples, governments and organizations to provide “adequate, sustainable, and long-term funding for the reclamation, revitalization, maintenance and strengthening of Indigenous languages.”

**The Act establishes an Office of the Commissioner of Indigenous Languages:**

- The Office would be an independent, arms-length entity working outside of the federal government.
- The Commissioner must be appointed through an order in council and in consultation with Indigenous governments, governing bodies, and organizations.
- It is mandated to support Indigenous communities, governments, and/or governing bodies in their efforts to reclaim, revitalize, maintain, and strengthen Indigenous languages.
- The Commissioner must review complaints related to Indigenous language agreements, funding, obligations of the Government of Canada under the Act, and in the implementation of the Act. Following the review, the Commissioner must prepare a report with concrete recommendations.

**The Act includes provisions for regulation and rule-making:**

- Legislation requires the Minister to conduct consultations to ensure that the unique circumstances and needs of Indigenous peoples, groups and communities are considered.

**A Five-year Review:**

- An independent review of the Act is required five years after the entry into force of the proposed legislation and every five years thereafter.

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***Immediate next steps***

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The legislation received first reading. After it has gone to second reading in the House of Commons, the proposed Act is referred to a Standing Committee. While at Committee, interested parties can submit their views and suggestions to the Committee to consider as amendments to the Bill.

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***Towards implementation***

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Co-development will continue on an inclusive basis to address implementation requirements. In preparing for the implementation of the legislation, co-development efforts will prioritize funding measures, operationalizing the Office of the Commissioner, and supporting capacity building in relation to regional entities to assist local efforts in language assessments and language revitalization initiatives. The objective is for the proposed *Indigenous Languages Act* to become law by June, 2019, and before the upcoming general federal election.