A Guide to

An Act respecting Indigenous languages: A Tool for First Nations Language Revitalization

2019 - 2020

FOR MORE INFORMATION

This guide explains Bill C-91, *An Act respecting Indigenous languages* in general. It isn't intended to give you legal advice on a particular issue. Each case is different – it is encouraged that you reach out to language experts, resources, or the Office of the Commissioner of Indigenous Languages. For more guidance and information, please get in touch with the contact below. You may also visit our website at **www.afn.ca/policy-sectors/languages/**.

You can also find more information from the Department of Canadian Heritage: **https: //www.canada.ca/en/canadian-heritage/campaigns/indigenous-languages-legislation.html**.

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The information in this publication is up to date as of June 2019.

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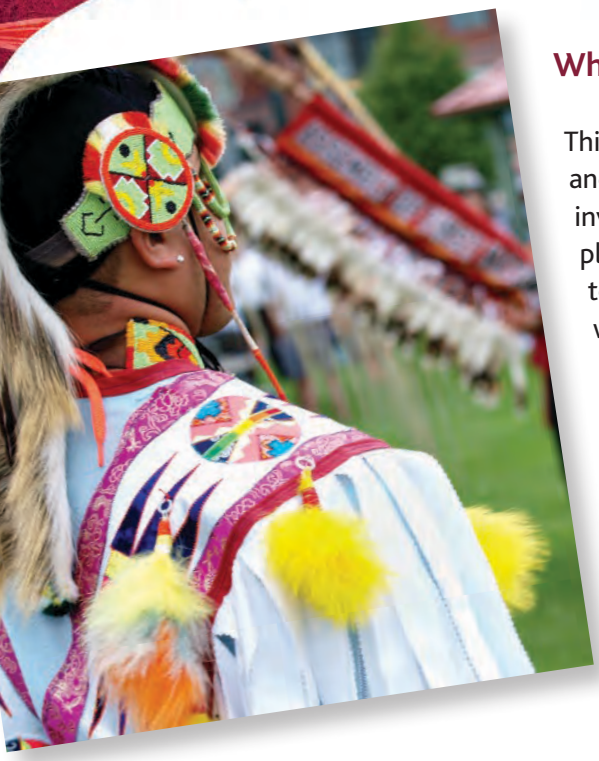
PART 1:

Introduction



Who is this Guide for?

This Guide is for any ***First Nations*** Rightsholders, language experts and language entities (organizations) looking to start, or already involved in, Indigenous-led language revitalization activities. In some places, ***Indigenous-led*** language entities already exist and are ready to implement their language plans and bolster existing initiatives; while in other places there is a need to develop and establish language plans, activities, and/or entities.

Though aspects of this Guide focus on the early stages of language revitalization for those just getting started, it can also be used by those looking to bolster their work. These language activities can be in place at the community, regional and/or national level and is inclusive of ***cross-jurisdictional partnerships,*** e.g. for ***languages*** such as Aninishnaabemowin, Dakota, Kanien'keha, Lakota, and Nakota, which cannot be limited by Canada's provincial, territorial, or national borders.

Purpose

The development of this Guide arose from discussions with Rightsholders throughout the co-development process for Bill C-91, *An Act respecting Indigenous languages* ***(the Act).*** Many participants expressed the importance of distributing a clear communications piece on how to use legislation as a tool for First Nations language revitalization. Though the Act is not necessary for the development and implementation of language protection and revitalization work, legislation is essential to ensuring First Nations languages are protected from further erosion.

This Guide is intended to help you understand how federal Indigenous language legislation (Bill C-91) can support your efforts to reclaim, revitalize, preserve and strengthen First Nations languages. The ultimate goal, as supported and funded by the government through legislation, is to restore fluency in our ancestral languages and to normalize First Nations languages. This Guide provides insight into the steps needed to develop and/or advance your language goals.

Organization of the Guide

The first section (Tab A) provides a brief background on the status of First Nations languages and on the co-development process which led to the Act. The second section (Tab B) provides an overview of the Act, focusing on key features such as rights, funding, and the establishment of the Office of the Commissioner of Indigenous Languages. The third section (Tab C) focuses on how to prepare for the entry into force of the Act, and how you can use the Act as a tool for First Nations-led language initiatives.

The Guide does not need to be read as a whole; however, background information may be helpful in considering the implications of the Act and how it applies to you and your work. Terms that are in italics and bold on their first use can be found in the Glossary of Terms for a definition within the context of First Nations language revitalization.

A vision for First Nations languages

Each First Nations language and community is at a different state of vitality and readiness. The development of language strategies and goals must consider, reflect, and be adaptable to these realities. This Guide is informed by a long-term vision for the reclamation, preservation, revitalization, maintenance and strengthening of First Nations languages, where these efforts – led by First Nations people – lead to the development of a critical mass of fluent speakers in all ancestral languages. The goal is for First Nations languages to reach a state of vitality where they are widely spoken, including in the home, in communities, and in places of work. It is our desired outcome that the natural transmission of language from adults to children is restored and languages have returned to a state of normalization. The vision of revitalization naturally includes the use of First Nations traditional knowledge, passing on the language through story, historical accounts, and narratives including relationships to the land, world views, and spirituality.

Legislation

The Act commits the Government of Canada to supporting and funding Indigenous-led language reclamation, revitalization, maintenance and strengthening activities. The Act recognizes and reaffirms Indigenous language rights as inherent, Constitutional (Section 35 of the *Constitution Act, 1982*), and international human rights, via the United Nations Declaration on the Rights of Indigenous Peoples (see language-related articles in Appendix 2). The Act responds to years of First Nations advocacy, as well as the Truth and Reconciliation Commission Calls to Action 13, 14, and 15 (see Appendix 1). Under the Act, the support and funding provided by the Government of Canada will be reviewed on an annual basis by a new Office of the Commissioner of Indigenous Languages (see Part 4). The Act itself will undergo Parliamentary review every three years. The Act will also be independently reviewed every five years, in consultation with Indigenous Peoples. Information about the Act can be found in Parts 3 and 4.

Co-development

After decades of First Nations advocacy, Prime Minister Justin Trudeau announced on December 6, 2016, that the Government of Canada would jointly develop legislation for the revitalization and recovery of First Nations, Inuit, and Métis languages. The Assembly of First Nations (AFN), Inuit Tapiriit Kanatami (ITK), the Métis National Council (MNC), and the Department of Canadian Heritage (PCH) committed to joint co-development principles in the development of the Act. Both the AFN and the Government of Canada held two rounds of their own engagement sessions to get input on content for the Act. These engagements included Rightsholders, language experts, language keepers, Elders, Chiefs and Regional Chiefs. For more information on the co-development process, please see Part 3.

Co-development will continue to address issues related to the implementation of the Act. Before the Act comes into force, ongoing work is needed on a co-development basis to ensure First Nations input informs any future work on funding measures, the Office of the Commissioner of Indigenous Languages, and related issues aimed at supporting you at the local and/or regional level. The objective is for the Act to be passed by June 2019, and before the upcoming general federal election.

Our languages are central to our ceremonies, our relationships to our lands, the animals, to each other, our understandings, of our worlds, including the natural world, our stories and our laws. – National Chief Perry Bellegarde

PART 2:

Context

General background

Language allows us to share and communicate culture, world views, knowledge systems, values, traditions, customs, history, spirituality, and social and political identity to future generations. First Nations languages are integral to our sense of self and a key aspect of self-determination. Despite their importance, all Indigenous languages in Canada are in danger of disappearing. Over generations, assimilative policies and practices have had a significant impact on language loss and the disruption of the ***intergenerational transmission*** of First Nations languages and cultures.

There is grave urgency to develop fluency in First Nations languages. The United Nations Educational, Scientific, and Cultural Organization (UNESCO) reports that three-quarters of Indigenous languages in Canada are "definitely", "severely" or "critically" endangered. In Canada's 2016 Census of Population, only 20% of First Nations people could converse in an Indigenous language, down almost 6 percentage points from 2006. If we continue down the current path, First Nations languages, like many Indigenous languages around the world, may be lost. It is essential that drastic actions are taken to offset the erosion and loss of First Nations languages.

There has also been a general growing interest in Indigenous languages in Canada over the past several decades. Language revitalization is now on the government's legislative and ***policy*** agenda. Nanos Research conducted a survey for the AFN in February 2017 and found that about 74% of Canadians support or somewhat support the creation on an Indigenous Languages Act. Respondents also linked the value of language as important to culture and identity.

Further, examples of successful Indigenous language revitalization are emerging across the globe, such as in the revitalization of Te Reo Māori, Hawai'ian, Scots Gaelic, and Welsh. Some dormant languages have also become ***living languages*** again, including Wampanoag, Myaamia, and Hebrew. These examples provide some best practices that can be drawn from in planning for the reclamation, revitalization, maintenance, and strengthening of Indigenous languages in Canada, while respecting the unique situation of each First Nations language.

Why is legislation important for First Nations languages?

In 1998, a state of emergency on First Nations languages was declared by the Chiefs-in-Assembly through Resolution 35/1998, ***First Nation Languages***, highlighting the central role of language to First Nations culture and the urgent need to reverse further language loss and degradation. The 1996 Report of the Royal Commission on Aboriginal Peoples and the 2005 Task Force on Aboriginal Languages and Culture's "Towards a New Beginning" report are both historic documents calling for action in the recognition of the importance of Indigenous languages. First Nations languages are inherent, treaty and constitutional rights (Section 35, *Constitution Act, 1982*). Language has been affirmed as a fundamental international human right by the International Covenant on Civil and Political Rights, which puts binding treaty obligations on Canada as a signatory. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) contains specific articles on Indigenous languages. The Truth and Reconciliation Commission's (TRC) Calls to Action also includes a number of calls (13, 14, and 15) directly related to languages. The Government of Canada has formally endorsed the UN Declaration on the Rights of Indigenous Peoples and committed to the implementation of the TRC Calls to Action. Various other international legal instruments support these rights, such as the Universal Declaration of Human Rights and the Universal Declaration on Linguistic Rights.

These existing languages rights have been long ignored, and must be actively recognized and protected in law to secure their survival and revival. Legislation is considered one of the required elements for successful language resurgence, along with effective language policies, good language education practices, adequate and sustainable funding, and community mobilization.[1] Legislative recognition puts requirements on the federal government to provide funding with the goal of preserving and revitalizing Indigenous languages and restoring fluency.

The AFN *Closing the Gap* document (2015) also called for significant investments toward the revitalization of Indigenous languages, as significant funding and support is necessary for successful revitalization efforts.

Legislation also helps ensure that the availability of funding is not completely dependent on the current government. This is essential for continuous action and sufficient, predictable, sustainable funding that supports long-term language planning.

[1] Galley, et al., 2017 http: //www.fpcc.ca/files/PDF/General/FPCC__National_Dialogue_Session_Report_Final.pdf

Legal recognition in federal legislation will raise the status of Indigenous languages, as seen with Indigenous or minority languages in other jurisdictions at either the provincial/regional or national level both in Canada and abroad. For example, greater awareness and knowledge about Indigenous languages can increase both support (including promotional efforts by the government) and respect for the language itself (as seen in New Zealand, Hawaii, South Africa and others). Recognizing, affirming, protecting and implementing First Nations linguistic rights is an essential piece to ensuring the revival of the First Languages of these lands.

In response to international and national legal instruments – as well as decades of First Nations advocacy – the AFN, ITK, MNC and PCH initiated a co-development process for Indigenous languages legislation to protect and revitalize Indigenous languages in Canada. The Act has been drafted in such a way that it further commits the Government of Canada to implementing the UN Declaration and the TRC Calls to Action. The federal government agreed to take action to implement both of these instruments and the Act strengthens the obligation to act on these commitments. The Act also recognizes and affirms Indigenous language rights as Section 35, *Constitution Act, 1982* rights. Together, these legal instruments, among other international treaties and agreements provide a base for the protection and revitalization of First Nations languages. The Act builds on these foundational pieces to ensure support and adequate, sustainable and long-term funding to meet the goal of reclaiming, revitalizing, maintaining, and strengthening First Nations languages.

Restoring fluency and the active use of First Nations languages is vital to cultural continuity and a fundamental part of self-determination. Language is key to transmitting traditional knowledge across generations. Traditional wisdom is passed on through stories and through the very structure of First Nations languages. For example, critical environmental knowledge on animals, plants, and their medicinal uses, is passed on through creation stories and ceremonies expressed in our languages. Consider how a single word for animals, plants, or place names tells a history and experience that would otherwise been unknown.

Language is intimately tied to culture and the transmission of traditional knowledge, including spirituality, values, history, identity, and world views. Studies show that cultural continuity is a determinant of health.[2] Further, First Nations with a strong sense of cultural and linguistic identity have better socio-economic ***outcomes.*** For example, language education and fluency has been found to result in improved education outcomes. These impacts are essential to closing the gap for First Nations of all ages. The recognition of Indigenous culture and language in legislation can play an important role in improving education, employment, health outcomes, and the overall well-being of First Nations people.

The importance of language and culture is known to, and respected by, many of our First Nations youth. First Nations youth are taking steps to reclaim and revitalize their languages. Despite significant barriers to learning, the National Collaborating Centre for Aboriginal Health (NCCAH, 2016) found that a clear majority of First Nations youth – living in self-governing nations, ***on-reserve,*** and ***off-reserve*** – are interested in participating in cultural and language programming.

[2] Chandler, M. J., & Lalonde, C. (1998). Cultural Continuity as a Hedge against Suicide in Canada's First Nations. *Transcultural Psychiatry*, 35(2), 191–219.

PART 3:

Co-development Process

Milestones of Bill C-91:

December 6, 2016
Prime Minister Justin Trudeau announced that the government will co-develop legislation for the revitalization and recovery of First Nations, Inuit, and Métis languages.

June 15, 2017
The AFN, Inuit Tapiriit Kanatami (ITK), Métis National Council (MNC) and Department of Canadian Heritage (PCH) agreed to a set of co-development principles to guide their work in creating content for the Act.

June-October, 2017
AFN Engagement
The AFN conducted a series of 20 engagement sessions.

August 2017-February 2018
PCH Early Engagement
The PCH conducted a series of pre-engagements sessions.

December 2017
Resolution 77/2017, *Support for Co-development Work on Indigenous Languages Act,* is passed at the AFN Special Chiefs Assembly, including a set of principles to guide First Nations representatives working on legislation.

June-September 2018
PCH Intensive Engagement
The PCH conducted intensive engagement sessions and received online submissions on the content of legislation. The AFN held a series of pre-engagements to help prepare participants for their sessions with PCH.

February 5, 2019
Bill C-91, an *Act respecting Indigenous languages*, is tabled in the House of Commons for first reading.

February 20, 2019
Bill C-91 passes second reading and the Standing Committee on Canadian Heritage (CHPC) formally begins the study of the proposed legislation.

March 19, 2019
Senate Standing Committee on Aboriginal Peoples (APPA) commence pre-study of Bill C-91.

May 9, 2019
Bill C-91 passes third reading in the House of Commons and moves to the Senate.

May 27, 2019
Bill C-91 goes to second reading in the Senate.

June 13, 2019
Bill C-91 is brought to the Senate for third reading and passes with amendments.

June 21, 2019
Bill C-91 receives Royal Assent.

Co-developing Indigenous languages legislation: Influencing the Act

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

The AFN hosted a series of engagement sessions from June to October 2017, as part of the Indigenous Languages Initiative (ILI). The AFN ILI Engagement Sessions were initiated in keeping with the AFN Executive Motion, supported by the AFN Chiefs Committee on Languages, and resolutions 01/2015, *Support for the Full Implementation of the Truth and Reconciliation Commission of Canada's Calls to Action*, and *06/2015, Revitalization of Indigenous Languages: Concrete Actions to Support Indigenous Language Teachers and Cultural Centres*. Participants of the engagements included more than 500 Regional Chiefs, Chiefs, Councillors, Elders, youth, fluent speakers, knowledge keepers, language champions and activists, Indigenous scholars and linguists. The outcomes of the discussions at the engagement sessions were then summarized in a report called the National Engagement Session Report, 2017. The key message was that legislation must support the rebuilding of all First Nations, Inuit, and Métis languages – from recovery, reclamation, revitalization, and maintenance, back to normalization. The Government of Canada held a parallel series of Early Engagement Sessions over 2017 to receive input on content for legislation.

In December 2017, Resolution 77/2017, *Support for Continued Co-development Work on Indigenous Languages Act*, was passed at the AFN Special Chiefs Assembly (SCA), endorsing the National Engagement Session Report, including a set of 11 Co-development Principles based on input from the engagements (see Box 1 on page 14).

Box 1. Consensus Co-development Principles

As mentioned above, the CDWG adopted 12 Co-development Principles, embodying the 11 Principles developed by the AFN and endorsed by Chiefs-in-Assembly. These principles guide all representatives in the CDWG and informed the co-development of legislative content.

1. The intent is to develop legislation that includes common and overarching legislative content as well as three distinct First Nations, Inuit and Métis sections to meet the distinct legislative and policy needs of each ***language group*** within diverse geographic, political, and cultural contexts.

2. A 'pan-Aboriginal' approach was not seen as appropriate given the significant differences in the state and readiness of languages depending on: distinction; geographic area; measures already in place (such as territorial Official Languages Acts); and the existence of Language Commissioners and Commissions. It is the intent that the legislation would need to support or be consistent with these measures that are already in place in some jurisdictions.

3. The intent of the legislation is to address Indigenous languages as core to Indigenous Peoples' identities, their spiritual beliefs, their relationships to lands, their worldviews and their cultures. The Act should acknowledge and advance these fundamental tenets.

4. The intent of the legislation is to acknowledge the harms against Indigenous languages and cultures through government laws, policies and actions. Cultural continuity, healing, reconciliation, and federal government support should be among the objectives of the legislation and implementation measures.

5. The intent of the legislation is to acknowledge the significance of Indigenous Peoples as the first peoples with first languages, and that those languages evolve over time.

6. The intent of the legislation is to acknowledge that Indigenous language rights are inherent Aboriginal and Treaty rights, including Indigenous Peoples' jurisdiction regarding their languages, pursuant to s. 35 of the ***Constitution Act***, *1982* and decisions of the Supreme Court of Canada.

7. The intent of the legislation is to be a framework that can evolve and be amended to strengthen and address weaknesses, with a periodic parliamentary review, every five years.

8. The intent of the legislation is to articulate a framework for implementation of Indigenous Peoples' rights regarding their language, and to accommodate the ability of Indigenous Peoples to establish and maintain proficient Indigenous-controlled systems, as well as the archiving of and access to language data.

9. Lifelong learning and the education system for Indigenous Peoples, no matter where they may reside, should be acknowledged as a critical tool for Indigenous Peoples to restore fluency among Indigenous Peoples of all ages.

10. Each situation will be different in terms of what is required on the ground regarding methodologies for the most appropriate means to promote, preserve and revitalize languages. Consequently, policies and funding approaches will need to support various approaches and adequate regional institutional infrastructure will be required to support local efforts as well as at the national level. Such a mechanism could potentially include a national institution as well as regional institutions. In some cases, this will mean enhancement of existing institutions while in others it may mean the creation of Indigenous mandated, and led, institutions over time.

11. A single entity may not meet the needs given the diversity of peoples, languages, geographic and jurisdictional considerations as well as the fact that in some jurisdictions legislation, commissioners and other oversight entities already exist. The role of the entity(s) would be contingent upon the rights affirmed by legislation.

12. Funding associated with the implementation of the legislation must be adequate, predictable, sustainable, long-term, and reach the appropriate recipients. Further, funding to recipients for on-going support purposes must be on a core basis (not annual ***project-based***) and funding mechanisms should facilitate that intent.

On June 15, 2017, the AFN, ITK, MNC, and PCH agreed to a Statement of Co-development Principles to "work collaboratively, transparently and on a distinctions-basis to co-develop national First Nations, Inuit, and Métis languages legislation, whose content will reflect the distinct geographic, political, legislative and cultural contexts impacting language revitalization, recovery, preservation, protection, maintenance, and promotion." A Co-development Joint Working Group (CDWG) was established with representatives from the AFN, ITK, MNC, and PCH to determine a way forward in jointly achieving these objectives. Co-development Sub-working Groups (SWGs), composed of subject-matter experts from the four parties, also provided further insight on key issues, including: entities, costing, education and multifaceted approaches to language acquisition, and communications. The primary outputs of SWG research and analysis informed the work of the CDWG as well as legislative content. The CDWG achieved three significant outcomes: (1) 12 Consensus Co-development Principles to guide and instruct the co-development process – based on the 11 principles approved by the Chiefs-in-Assembly, (2) the legislation itself; and (3) a continuation of the co-development relationship into implementation.

From June to September 2018, the Government of Canada conducted a second round of Intensive Engagement Sessions with First Nations, Inuit, and Métis Peoples across Canada. These sessions were inclusive of First Nations Rightsholders that had signed modern treaties, comprehensive land claims, and/or self-government agreements. The AFN organized Preparatory Engagement Sessions to support First Nations in advance of the Government-led intensive engagements.

The AFN – based on the direction received throughout the national engagement sessions – has been able to play an important role in the development of the new legislation. The guidance received throughout the engagement sessions, and through the CDWG and SWG analysis, informed the development of legislative content. The AFN further participated in the legislative process by: submitting a proposal document to inform the content of the Memorandum to Cabinet and drafting instructions regarding the Bill. AFN representation also commented on drafts of the legislation prior to the tabling of the Act, within the confidentiality limitations posed by the drafting process. Moving forward on a co-development basis presents an opportunity to ensure First Nations views, opinions and experiences continue to influence the effective implementation of the Act.

Continuing co-development into the implementation of the Act

It is important to distinguish an Act from regulations. Generally speaking, an Act sets out the broad legal and policy principles. Regulations provide guidelines on how the provisions of the Act are applied. For example, a number of issues were identified throughout the co-development process and were considered better addressed through regulations and policies. So, if legislation is seen as the destination, regulations are how we get there. This means there are further opportunities to influence the way the Act is implemented through the ongoing co-development.

First Nations participants at the engagement sessions identified a number of important issues that could not be addressed solely or fully through new legislation, as some are primarily policy questions, fall under jurisdictional restrictions and would need to be negotiated elsewhere, or would be more appropriately addressed through agreements. Establishing an appropriate structure and process to continue work in advance of the new legislation is also essential to effectively rolling out the Act. For these reasons, the AFN pressed for the Government of Canada to continue the co-development process to ensure future decisions would include First Nations input. The government agreed to continue the co-development process to address essential, ongoing implementation requirements, including policy and regulations.

The co-development process will continue on both a bilateral and/or multilateral basis, as required, and be inclusive of First Nations language experts and organizations, Rightsholders, stakeholders, as well as other government departments or agencies, as appropriate. In preparing for the implementation of the legislation, co-development efforts will prioritize funding measures, setting up the Office of the Commissioner of Indigenous Languages, and supporting capacity building to assist local, regional, and national efforts.

The following issues are identified for continuous co-development work:

- Ongoing costing research, analysis and development.
- Collaborative development of interim and long-term funding models, including funding mechanisms, distribution, and eligibility.
- Development of concept documents to inform the Treasury Board Submission.
- Establishment of the Office of the Commissioner of Indigenous Languages, including the appointment of the Commissioner.
- Collaborative work to discuss a multifaceted approach to Indigenous language acquisition within the overall context of Indigenous language reclamation, revitalization, maintenance, and strengthening. Collaborative work between members of the Co-development Joint Working Group, education experts and Indigenous Services Canada on the implementation of language education, ***immersion***, education services, and funding.
- Strategies to accommodate various disabilities in language learning and development.

The following issues are identified for continuous co-development work:

- Continued, enhanced support for existing Indigenous-led entities with mandates for language reclamation, revitalization, maintenance, and strengthening. Support for the establishment of such entities where they are desired and do not exist.
- A comprehensive approach regarding government translation and interpretation requirements and the promotion of the use of Indigenous languages in the public service.
- Planning to ensure the inclusion of Indigenous Peoples in the 5-year review.
- Production and communication of collaborative materials explaining the proposed legislation and continuation of the co-development process to Members of Parliament, Senators, Indigenous Peoples, stakeholders, and the public.
- Identifying existing federal legislation, policies, ***programs***, and services that impact, or are impacted by the use of, Indigenous languages to determine where adjustments may be needed to ensure a whole-of-government approach.
- Development of an approach to effective and efficient multi-governmental (federal, provincial/territorial) support for Indigenous languages, including intergovernmental tripartite agreements on language issues.
- Proposed regulations made under the legislation.
- Work together to plan, coordinate, and convene events, activities, and legacy projects related to the 2019 International Year of Indigenous Languages and an International Decade of Indigenous Languages.

PART 4:

Understanding Bill C-91, *An Act respecting Indigenous languages*

What is the Act about?

The purpose of Bill C-91 is to *enable* the exercise of Indigenous language rights. The Act creates legal assurance for adequate, sustainable, and long-term funding and support for Indigenous-led initiatives to reclaim, revitalize, maintain, and strengthen Indigenous languages.

What does this mean? The Act supports you in your language initiatives with the ultimate aim of restoring fluency and ensuring First Nations languages remain living languages. Legislation, used as a tool by First Nations for language revitalization, can advance the rights, needs, and interests of First Nations with respect to languages, cultures, traditions and knowledge systems.

It is important to understand how the legislation impacts you and your work at the ground level. Throughout this section you will find boxes, which look at how the legislation can impact your language revitalization activities. It should be noted that a basic rule to understanding any piece of legislation is that the Act itself should be read as a whole. The Act should be interpreted in such a way that all the sections of the legislation are tied to the purpose of the Act. *The purpose of the Act impacts all other sections of the legislation.* Key features of the Act are described below:

- The full purpose of the Act is to (excerpt):

Box 2. Purpose of the Act

(a) support and promote the use of Indigenous languages, including Indigenous sign languages;

(b) support the efforts of Indigenous peoples to reclaim, revitalize, maintain and strengthen Indigenous languages, including their efforts to

(i) assess the status of distinct Indigenous languages,

(ii) plan initiatives and activities for restoring and maintaining fluency in Indigenous languages,

(iii) create technological tools, educational materials and permanent records of Indigenous languages, including audio and video recordings of fluent speakers of the languages and written materials such as dictionaries, lexicons and grammars of the languages, for the purposes of, among other things, the maintenance and transmission of the languages,

(iv) support Indigenous language learning and cultural activities — including language nest, mentorship and immersion programs — to increase the number of new speakers of Indigenous languages,

(v) support entities specialized in Indigenous languages, and

(vi) undertake research or studies in respect of Indigenous languages;

(c) establish a framework to facilitate the effective exercise of the rights of Indigenous peoples that relate to Indigenous languages, including by way of agreements or arrangements referred to in sections 8 and 9;

(d) establish measures to facilitate the provision of adequate, sustainable and long-term funding for the reclamation, revitalization, maintenance and strengthening of Indigenous languages;

(e) facilitate cooperation with provincial and territorial governments, Indigenous governments and other Indigenous governing bodies, Indigenous organizations and other entities in a manner consistent with the rights of Indigenous peoples and the powers and jurisdictions of Indigenous governing bodies and of the provinces and territories;

(e.1) facilitate meaningful opportunities for Indigenous governments and other Indigenous governing bodies and Indigenous organizations to collaborate in policy development related to the implementation of this Act;

(f) respond to the Truth and Reconciliation Commission of Canada's Calls to Action numbers 13 to 15; and

(g) contribute to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples as it relates to Indigenous languages."

- The Act affirms and recognizes Indigenous language rights as included in Section 35, *Constitution Act, 1982*.

- In the preamble – and in the purpose – the Act commits to contributing to the implementation of UN Declaration (see language related articles in Appendix 2), as it relates to Indigenous languages, [see g) under *Purpose of the Act*], advances international standards in the protection and exercise of Indigenous language rights, including protecting traditional knowledge intellectual property, providing education, and establishing media – in Indigenous languages.

- The Act also further commits the federal government to implementing the TRC Calls to Action 13, 14, and 15 (see Appendix 1).

- The Act advances the status and vitality of Indigenous languages in Canada through the affirmation of Indigenous language rights and by strengthening Ministerial responsibilities, duties and functions with respect to the reclamation, revitalization, maintenance, and strengthening of Indigenous languages (see Box 3 on Language rights).

Box 3. Language rights

Indigenous language rights are inherent, treaty, constitutional, and international human rights. The Act further affirms these language rights in federal legislation and supports the execution of the Government of Canada's commitment to the protection of these rights and implementation of action for their fulfillment.

In Section 6, the legislation affirms that language rights are rights of Indigenous Peoples, as recognized and affirmed by Section 35 of the *Constitution Act, 1982*. This clarifies that Indigenous language rights are Constitutional rights (individual and collective). In Canada, Constitutional rights are enforceable. The *Constitution Act, 1982*, overrides federal and provincial laws in the event of conflict.

In the event of conflict between the legislation and any regulations made under the legislation, treaty, land claims agreement or self-government agreement, the latter prevail. The Act has the intent of enhancing, not detracting from previously reached agreements.

The Act reiterates that the Government of Canada is committed to contributing to the implementation of the UN Declaration, including Indigenous language rights. It also further commits the government to the implementation of the TRC's Calls to Action with respect to Indigenous languages, including the establishment of an Indigenous languages Commission.

What does this mean for you?

- Languages are a key qualifier for the right to self-determination, as is upheld in the UN Declaration – the affirmation and recognition of language rights in the Act further supports the development of local language laws and policies.

- The Act recognizes that Indigenous languages played a significant role in the establishment of Indigenous-European relations.

- The Act acknowledges the contribution of discriminatory and assimilative policies, such as residential schools, forced relocation, and the Sixties Scoop in eroding Indigenous languages.

- The Act acknowledges that Indigenous languages are fundamental to Indigenous identities, cultures, spirituality, relationships to the land, world views and self-determination.

- The Act recognizes the Government of Canada's role in supporting the work of existing Indigenous-led entities with a mandate for Indigenous language reclamation, revitalization, maintenance, and strengthening – and supporting the establishment of such entities, where desired, if they do not exist.

- The Act 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 Act establishes the Government of Canada's commitment to consulting with Indigenous governments and Indigenous governing bodies (see Box 4 on Engagement and consultation) to facilitate the provision of adequate, sustainable and long-term funding for the reclamation, revitalization, maintenance and strengthening of Indigenous languages (see Box 5 on Funding).

Box 4. Engagement and consultation

The Act makes it easier to pinpoint government responsibilities and creates requirements for periodic government consultation with Indigenous Peoples on a number of issues, including:

- **Funding**: Legislation requires the Minister to conduct consultations so that the unique circumstances and needs of Indigenous Peoples, groups and communities are considered in determining appropriate funding mechanisms, including considerations for ***core-type funding*** and project-type funding.

- **Office of the Commissioner of Indigenous Languages**: Legislation requires the Minister to consult with Indigenous governments, bodies, and entities on the appointment of a Commissioner and (up to) three Directors.

- **Office of the Commissioner of Indigenous Languages:** Legislation requires the Minister to consult with Indigenous governments, bodies, and entities on the appointment of a Commissioner and (up to) three Directors.

- **Regulations:** The Minister must consult with the Office of the Commissioner of Indigenous Languages and Indigenous governments and other Indigenous governing bodies and Indigenous organizations in relation to the making of regulations. The Minister must ensure that a variety of Indigenous governments, governing bodies and organizations can collaborate meaningfully in policy development leading to the making of regulations.

- **Independent 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 – legislation requires that the review must include consultation with Indigenous governments, governing bodies, and entities.

Box 5. Commitment to funding

First Nations made funding a clear priority throughout the engagement process. There is language in the Act which commits the federal government to providing regular and long-term funding to support local and community-based approaches to language revitalization. The Act's purpose includes a commitment to establishing measures to provide "adequate, sustainable, and long-term funding for the reclamation, revitalization, maintenance and strengthening of Indigenous languages."

The AFN contracted an initial costing analysis during co-development. Ongoing work is required to understand actual needs to successfully develop fluent speakers. This work is part of further co-development, including core-type funding and project-type funding, delivery of funding, funding formulas, and ***evaluation*** tools to address accountability requirements.

What does this mean for you?

- Though the development of language revitalization activities are not dependent on the Act legislation makes it easier to create long-term, comprehensive, and multifaceted language plans – by providing adequate, sustainable, and long-term funding. Such plans can better reflect a First Nations vision of language reclamation, revitalization, maintenance, and strengthening with an aim to restoring fluency.

- The Act highlights that federal institutions or its agency or mandatary may provide access to services in an Indigenous language if they have the capacity and there is sufficient demand.

- The Act establishes an independent Office of the Commissioner of Indigenous Languages that will champion and support language revitalization and review and report on Canada's compliance to its obligations under the Act, including funding (see Box 6 on the Office of the Commissioner of Indigenous Languages).

Box 6. The Office of the Commissioner of Indigenous Languages

The Office of the Commissioner of Indigenous Languages – as an independent, arms-length entity – oversees federal government compliance with the Act. The Commissioner, and (up to) three Directors, must be appointed in consultation with Indigenous governments, governing bodies, and entities. The Office is mandated to support Rightsholders and Indigenous-led language organizations in their efforts to reclaim, revitalize, maintain, and strengthen ancestral languages.

The Commissioner reviews and reports on complaints related to Indigenous language agreements, funding, obligations of the Government of Canada under the Act, and in the implementation of the Act. The Commissioner also prepares an annual report with concrete recommendations for the implementation of the Act. The Office of the Indigenous Languages Commissioner also promotes Indigenous languages, supports Indigenous-led initiatives, encourages public awareness and understanding in respect of Indigenous languages, including the importance of working toward reconciliation, and supports innovative projects and technology in Indigenous language education and revitalization.

Overarching development work, such as strategic planning and research, may be necessary for effective implementation. With this in mind, the Office of the Commissioner of Indigenous Languages may consult and coordinate with any provincial or territorial entity responsible for Indigenous language reclamation, revitalization, maintenance, or strengthening work, if appropriate and as related to its mandate. Any overarching activities must be respective of differences in language states and readiness at the language and community level. The Office of the Commissioner of Indigenous Languages may also conduct or support research and studies in areas related to achieving the purpose of the Act, particularly, at the request of (and with the consent of) First Nations governments, governing bodies, or organizations.

What does this mean for you?

- You can make complaints to the Commissioner about government compliance in implementing the Act, including funding.
- You can share your views about the implementation of the Act for the preparation of the Commissioner's annual report.
- You can request assistance from the Office of the Commissioner of Indigenous Languages for development of your language plan.
- You can request research and studies as related to First Nations languages.

- The Act acknowledges that the primary work and activity regarding revitalization and strengthening Indigenous languages belongs in the communities.
- The Act acknowledges the need for *access* to interpreters and translated government documents. Interpretation and translation will be provided by the Government of Canada, where it is considered warranted or appropriate. The provision of translation and interpretation services, including processes for requests and quality, will be further discussed on a co-development basis.
- The Act facilitates First Nations governments, governing bodies, or entities to enter into agreements or arrangements with all levels of government to reclaim, revitalize, maintain, and strengthen their ancestral languages (see Box 7 on Agreements and/or arrangements).

Box 7. Agreements and arrangements

As Indigenous languages cross colonially-designated provincial, territorial, and national boundaries, there is a need for organizations and governments to be able to coordinate language revitalization efforts.

The Act anticipates the creation of effective and efficient multi-governmental coordination and support for Indigenous languages. This will likely most significantly impact education, including curriculum development, and accreditation, among other areas.

What does this mean for you?

- You may choose to formally cooperate with any level of government in your language work – including Indigenous governments or governing bodies, provincial, territorial, and federal governments – or Indigenous organizations.
- You may choose to enter into such agreements on your own, or you may choose to enter into an agreement with the Minister to further the purposes of the Act, and request that the Minister facilitate and coordinate the entering into agreements or arrangements with other levels of government, as required, to meet the objectives of the arrangement or agreement.

Note: *First Nations may also choose to enact their own language laws and/or develop language policies, including implementation plans (see Box 13 for more information). The establishment of such legislation or policies could facilitate future negotiations, agreements and/or arrangements to fund implementation plans.*

For example, Teslin Tlingit Council (TTC) – a self-governing First Nation based in Teslin Southern Yukon Territory – developed a language Act in 2017 and established a Language and Culture Oversight Committee (LCOC) to help advance the language goals of the community. The LCOC have since developed an intergenerational implementation plan to restore the Lingít language.

Keeping what is described above in mind, there are some elements of the Act that can benefit from clarification. Box 8 below provides a checklist of what the Act does.

Box 8. Checklist: What does the Act do?

Indigenous languages legislation:	Yes
• Legislates the *government's* behaviour towards Indigenous languages	√
• Acknowledges the detrimental effects of government policies and practices on intergenerational language transmission	√
• Affirms Indigenous language rights as Section 35 rights, *Constitution Act, 1982*	√
• Advances language related articles of the UN Declaration, including media, intellectual property, among others	√
• Responds to, and implements, the TRC Calls to Action (13, 14 and 15)	√
• Empowers self-determined language rights	√
• Acknowledges that Indigenous Peoples are best placed to lead language revitalization efforts ***(First Nations Rights and Control)***	√
• Supports and funds Indigenous-led language revitalization efforts	√
• Supports First Nations community development and/or maintenance of language laws and policies, including declaring an ancestral language as an official language/language of operation in the community	√
• Supports the principle of access to languages, regardless of age or place of residence	√
• Promotes the use of Indigenous languages	√
• Provides legal assurance for adequate, sustainable and long-term funding	√
• Expresses a commitment from the Minister of Canadian Heritage to consult with Indigenous Peoples about providing adequate, predictable, and long-term funding for Indigenous languages reclamation, revitalization, maintenance and strengthening	√

Indigenous languages legislation:	Yes
• Supports the establishment of new Indigenous-led language entities, and the bolstering of entities where they already exist, to address gaps where they are desired, needed, and requested	√
• Creates an Office of the Commissioner of Indigenous Languages	√
• Creates parameters for the work of the Commissioner, such as conducting research and providing support to applicants for research and studies related to funding, performance measures, and community assessments; reporting on the implementation of the Act, including the adequacy of funding and receiving complaints	√
• Supports a multifaceted approach to language acquisition (including immersion programs, day cares, ***language nests***, language camps, ***mentor-apprentice***, on-the-land learning, adult courses, silent speaker programs, ***language houses***, among others)	√
• Allows for a flexible and staggered approach to language planning, i.e. language programs/strategies can respond to multiple different language states (see the adapted Graded Intergenerational Disruption Scale for language strategies, Box 9)	√
• Supports First Nations governments, governing bodies and language entities in making agreements with different levels of government (provincial/territorial and federal)	√
• The Act supports ***partnerships*** (including cross-jurisdictional partnerships) which are Indigenous-led	√

Part 5:

Your Role in First Nations Languages Revitalization

First Nations languages are a fundamental aspect of self-determination, spirituality, cultural identity and continuity, well-being, and other important personal and communal considerations – including their use in the enhancement of socio-economic opportunity. First Nations have consistently expressed a determination to reclaim, revitalize, maintain, and strengthen ancestral languages.

In turn, the Government has committed to co-develop, with Indigenous Peoples, legislation and other processes to advance Indigenous language rights and support First Nations in restoring ancestral languages. The Act is intended to provide ongoing, sustained, consistent, appropriate funding to recover, reclaim, revitalize, maintain and normalize all Indigenous languages.

The government has committed to implementing the TRC Calls to Action, particularly highlighting Calls 13, 14, and 15, in the Act. The rights set out within the UN Declaration on the Rights of Indigenous Peoples and other international instruments, which the Government of Canada has ratified (endorsed), recognize the importance of Indigenous languages to Indigenous Peoples.

Leading your own initiatives

Bold actions, *based in communities,* are needed to offset the trend of First Nations language loss and to advance the rights, needs and interests of Indigenous Peoples. These actions can start at the community level and, if desired, could grow into a broader strategy.

As described in Tab B, the Act serves as a means to provide better support and funding for your initiatives, provides a legal basis to better protect languages and dispute rights violations, and facilitates work that could bolster new and existing initiatives. However, if you are not currently involved in an initiative, there is no reason to not start today. You can be an advocate whether you are a fluent speaker, a learner, or just looking to create learning opportunities where you live or for people you know. In this section, we provide some tools as you consider developing, or strengthening, language revitalization activities or organizations.

As a First Nations person or group already involved or interested in revitalizing your language, you can look at the language situation in your community or the community(ies) that you serve as an Indigenous-led organization. Speak to other people involved in language revitalization in your area and see where you can be of support or help identify gaps if they exist. Find out if there is a ***regional entity***/organization that provides support and/or funding to your community for language revitalization activities and ask what resources are available.

It will take time to create a critical mass of proficient speakers for many of our ancestral languages. This should not discourage action, but it should instead inspire and mobilize action. Language revitalization is urgent and starting or bolstering work today gives languages a better chance of being passed down tomorrow. Action is needed now.

Many things can be done before the entry-into-force of the legislation. For example, you can work to develop a ***language plan*** (see Box 10) that reflects your current situation, including: existing capacity and resources needs, community(ies) language goals/vision in the short-, medium- and long-term, and a plan on how to get there. You can also start **building capacity** (see Box 11) to help ensure you reach your goals by developing or improving skills, knowledge, tools, and other resources to start language revitalization or to do your work at a larger scale. If there isn't a language assessment or plan in your community you can work with your community, or communities, to see what the needs are for your language(s) and for your community(ies) by doing a **language assessment/environmental scan** (see Box 12). You may also be interested in developing your own local language **legislation and/or policies** (see Box 13). The right starting point will depend on the particular needs of your language and your community(ies).

Note: Consider checking the website of regional and national organizations for templates for language assessments, plans, and capacity building (see "Regional considerations" and "National and urban considerations" below).

Taking these steps even before the implementation of the legislation will help you to get everything in place to advance your language plans and strategies. This will ensure you are in a better position to take advantage of the tools provided in the Act. This process will also help you to clarify any support and funding needs that you may have and make it easier to develop requests and proposals – for example, to develop a funding rationale to achieve the objectives in your language plan. The new funding environment is responsive to long-term planning, meaning that you can develop a comprehensive vision for your ultimate language goals, with short and medium-term goals to keep you on the right track.

Regional considerations

We know that Indigenous-led language entities already exist and are ready to implement their language plans and bolster existing initiatives. Some of these entities do or can work at a regional level, coordinating or delivering language programs and/or support for local initiatives. You can look to these organizations for support if you are just getting started or even if you have already begun your language revitalization journey.

Examples of existing First Nations-led language organizations working regionally are the Anishinaabek-Mushkegowuk-Onkwehonwe Language Commission in Ontario (AMO), First Peoples' Cultural Council (FPCC) and the First Nations Education Steering Committee (FNESC) in British Columbia, the Manitoba First Nations Education Resource Centre Inc. in Manitoba (MFNERC), Mi'kmaw Kina'matnewey (MK) in Nova Scotia, and the Saskatchewan Indigenous ***Cultural Centre*** (SICC) in Saskatchewan, among others.

If you notice there is a gap and no regional-level organization exists where you are, consider starting conversations across communities in your region about whether or not there is the desire/need to establish such an organization or organizations. If you reach out to existing regional organizations, they may still be able to provide you with useful resources and tools.

National and urban considerations

As with language entities at a regional level, there are existing Indigenous-led entities working at the national level with mandates that include language and culture. Existing regional and national organizations (noted above) can play an important role in ensuring First Nations living in urban areas have access to language and culture programming, such as land-based and water-based teaching and learning methods and activities. For example, language protection and fluent speaker acquisition are priorities for the First Nations Confederacy of Cultural and Education Centres (FNCCEC), which provides support for:

- language education, including curriculum development, language classes and acquisition, resource centres, among others.
- community development and delivery of programs and services such as summer camps, language immersion, language classes, adult language lessons, among others.

Further support can also be provided by First Nations governments and governing bodies, e.g. Urban Tribal Councils. The federal Act allows for support and funding to be provided for First Nations language initiatives regardless of age and place of residence.

Getting started

Brainstorming and initiating work at the community level is highly encouraged because it facilitates the implementation of the Act and helps develop realistic language plans that are reflective of the goals of your community(ies) and language(s). Though you may choose to do a language assessment, an environmental scan of your situation is usually enough to get you started. This means that you take an inventory of the resources you have, e.g. number of fluent speakers, curriculum, classes, among others. For a full assessment, it can be easier if you reach out to your local or regional language organizations as you organize meetings to discuss your language situation, resources, and short- and long-term goals. Remember to consider language needs in the area you are aiming to serve – one community and language or multiple? If an assessment has already been completed, consider how long it has been – it might be time for re-evaluation. Periodic evaluations are important as the needs of languages can change over time and you can see what is, or isn't, working. A number of First Nations language organizations have a wealth of resources that can be shared as you begin, or even as you continue, your journey.

Note: Once the legislation is in place, the Office of the Commissioner of Indigenous Languages may also provide support and share research and studies, at the request of Indigenous governments, governing bodies, and entities. Any research or studies conducted by or supported by the Office must be accessible and shared with the Indigenous community, government, governing body, or organization.

Successful language plans and strategies reflect the unique needs of the language(s) and community(ies) involved. For example, you may be serving a single language in your community, multiple languages within one community; or, if you are working on a broader scale, you may be serving several languages through partnerships between communities, whether regionally, or nationally. It is worth noting that partnerships may also be based on other factors, such as ***language families***, or other connections.

Fishman's Graded Intergenerational Disruption Scale (GIDS) is a useful tool when reflecting on the needs of a language(s) and considering what interventions (strategies) could be most appropriate in that situation. Language revitalization strategies should be matched to the state of the language and flexible to changes over time (see stages in GIDS in Box 9. Page 36). Matching language situations and needs to interventions can build a strong foundation to reverse the trend of language loss.

Box 9. Revised Graded Intergenerational Disruption Scale for Threatened Languages, as adapted in the AFN National Engagement Report, 2017

Stage	Speaker Community	Suggested interventions
8	Only Elders	• Documentation • Mentor-apprentice • Connect Elders to have conversations
7	Only adults past child bearing age	• Establish a language nest
6	Some intergenerational use	• Develop community sites of language use • Encourage parents to raise their children in the language
5	Languages is still very much in use in the community	• Promote literacy • Promote volunteerism in language institutes (schools, offices, etc.)
4	Language is used in elementary school	• Improve immersion teaching methodologies (TPR: total physical response, Accelerated Second Language Learning, etc.) • Introduce or bolster immersion and bilingual education programs • Develop textbooks in the language in all academic subject matter
3	Language is used in places of business and by employees in less specialized work areas	• Make the language the language of the office • Develop new vocabulary for work terms
2	Language is used by local government and community, especially for communications and media	• Promote language use in local government, including through policies and laws • Translate documents • Provide interpretation services where warranted • Promote language use in newsletters, newspapers, radio, and TV
1	Some language use by higher levels of government and in higher education and training	• Teach college level classes in the language • Develop oral and written language in the arts and in publications • Give awards for language publications and other language activities

(Revised Fishman's Scale based on Fishman 1991, Reyhner, 1999, and FPCC 2013)

Knowing more about the state of your language(s) can help you focus your resources strategically and makes it easier to answer difficult questions later on. It is likely that multiple interventions will be needed regardless of the scale of the initiative (local, regional, cross-jurisdictional). For example, it might be more important and realistic to focus immediate efforts towards ***documentation*** and mentor-apprentice programs if there are only a very few fluent Elders speaking the language. Trying to develop an immersion school at this stage would not reflect the available resources and would likely not adequately preserve the language and create new speakers. However, it is important to keep in mind that it is possible, and often very beneficial, to use interventions from multiple stages (multifaceted approaches) as long as you consider the state of your language(s).

Most languages will be at more than one status at a time depending on whether it is being considered at the community, regional or even international level. For example, one language might be considered to have a strong vitality level overall but there are very few fluent speakers in your community or the communities that you serve as a language organization. Therefore, language plans to preserve and revitalize the language at the local level might be key, while broader maintenance strategies might be needed on a regional basis if you choose to collaborate or partner with others.

It is also possible that you are working with multiple languages or ***dialects*** within a community or geographic area. The inclusion of all languages in your context is encouraged when considering language planning and revitalization strategies. If you lack the resources or expertise required to undertake a particular intervention or initiative that addresses the needs of your language(s), it may be worthwhile to reach out and develop partnerships with other entities, communities, universities, linguists, among other language revitalization groups and experts. Plans for bolstering existing capacity also encourages greater support and funding.

Designing language plans

Language plans help you strategize based on your language's needs and in consideration of the resources you have available (see Box 10).

Box 10. Tips about language plans

Work with your community to:

- Conduct an environmental scan of your language. Collect an inventory of your language resources, e.g. number of speakers, programs, and teaching resources such as dictionaries, curriculum, and number of teachers.
- Set language goals. What is your vision for your language(s)? Think of the short, medium, and long term.
- Determine how you plan to reach your goals. Write down some activities that will help you get there and set priorities.
- Identify gaps in information, resources, capacity and include strategies on how to address these gaps and highlight related needs.
- Engage the community(ies) and build support– include everyone.
- Consider ways of filling in any gaps in resources or information you need to execute your plan (see Box 11).
- Consider GIDS (Fishman's Graded Intergenerational Disruption Scale) and what language interventions (strategies) match your language goals. Based on your language status, for example, you might want to find fluent language teachers, mentors, and Elders; develop a committee to work on a dictionary; start a preschool immersion nest or immersion-based early childhood language education program; start school-based immersion or intensive language education programs; start adult language education models, e.g. mentor-apprentice; and, develop comprehensive community and government language policies and programs.
- Include ongoing monitoring and evaluation in your plan and consider ways to make it flexible to changes as needed based on the results of those evaluations. Include benchmarks and *performance indicators or measures*.
- Match your plan to a broader strategy, if possible, and consider possible partnerships.
- Continuously go through these steps as your needs may change over time as the appropriate interventions evolve over time as the language gets stronger.

Building capacity

Before going ahead and starting language revitalization activities, consider what resources are available to you and what resources you still need. It is important to identify *capacity development* needs locally and regionally to make sure everyone is able to participate in the way they imagine (see Box 11), and so that you can make the best use of the funding and support made available to you based on your language plan. You will likely need to build capacity on an ongoing basis, but we outline some steps below to get started.

Box 11. Tips about building capacity

It is important to build capacity within your community(ies) or organization over time to facilitate language revitalization initiatives and to implement a successful language plan. Some useful steps to consider in building capacity and getting the information you need to implement your plan include:

- Gain support from your community – start a language gathering or meeting.
- Create a language committee.
- Apply for funding.
- Develop an accessible resource database –start finding out what language resources already exist.
- Meet and build partnerships with language experts and speakers in your community or region.
- Get help from language experts to document the language and/or to develop your plans or learning materials.
- Consider training opportunities, including for teachers.
- Use and encourage others to use the language more (incorporate into daily life).
- Keep the language alive through policies, laws, cultural activities, and long-term planning.

Designing language assessments and evaluations

Speak with community members about conducting a survey or questionnaire to learn more about the state of your language(s) and progress made over time. As a general rule, an environmental scan (see Box 10) should be conducted as part of the planning stage and assessments should be carried out throughout implementation to compare results over time as part of evaluation (see Box 12 below). Ongoing evaluations are important to ensure that language goals are being met and to allow for adjustments to your language plan as needed.

Box 12. Tips about language assessments and evaluations

Language assessments are useful in determining the state of the language(s) (current and over time). Think of this as a deep-dive environmental scan:

- How many speakers?
- Between what ages?
- How old are the youngest speakers?
- Are speakers and/or ***second language learners*** able to get together easily?
- Is there community support?
- What resources do you have in your community?
- Has some research already been done?
- Is the language documented?
- Are there any trained teachers?
- Are there any university courses in the language? Are they easily accessible?
- Do you need equipment/space?
- If not, what is needed? Do you have dictionaries? Curriculum? A group of Elders? Classes or courses? Laws or policies in your government?

Developing local language legislation and policies

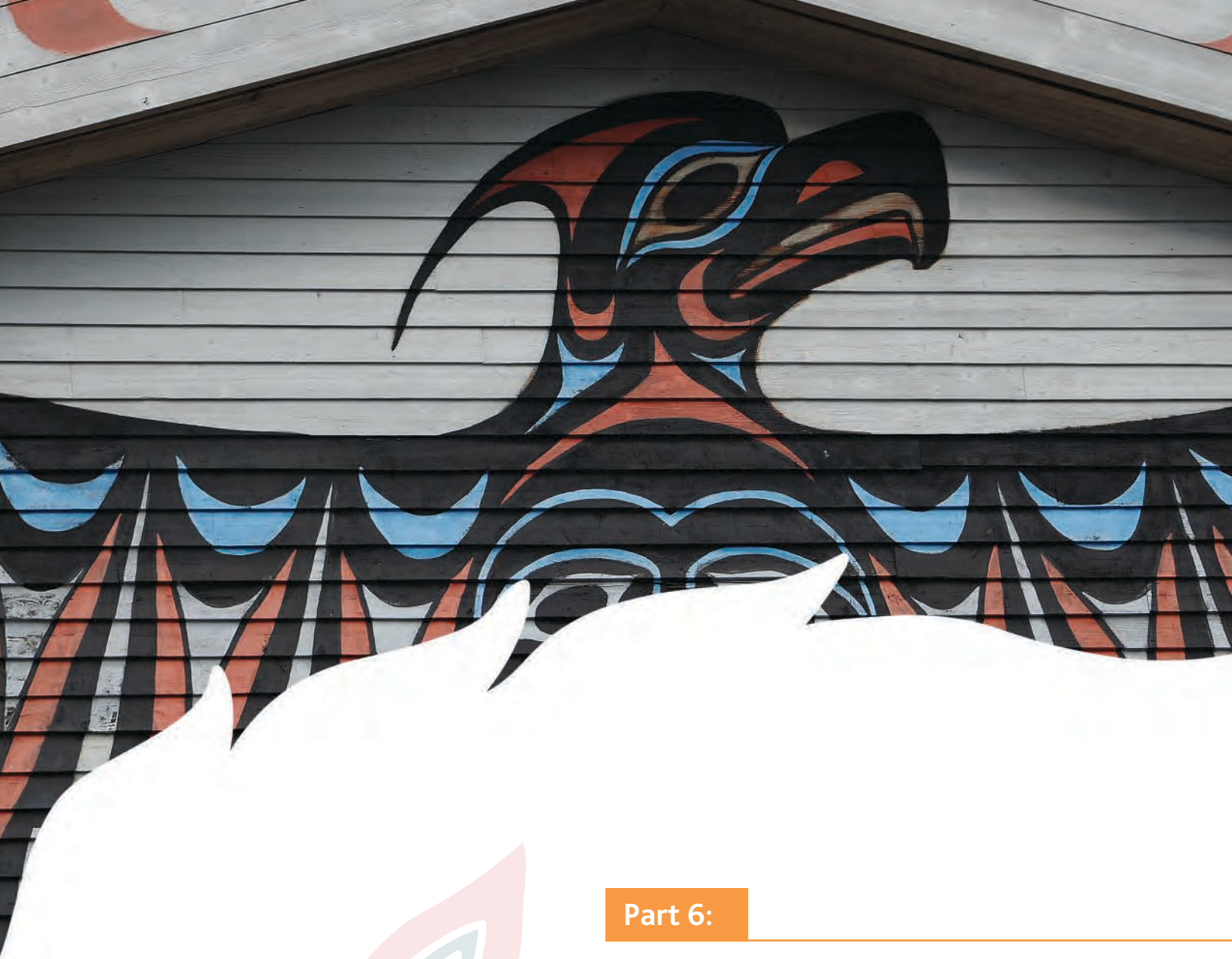
Language legislation and ***policies*** can also exist at the local level. Such laws or policies can support language revitalization by guiding language plans and encouraging language use. For example, a First Nations government, including self-governing First Nations, can choose to conduct business in an ancestral language, and create laws or policies that encourage community members to use the language more, and enhance revitalization initiatives (see the note in Box 7, Tab B).

Box 13. Tips about language legislation and policies

Consider developing language legislation and/or policies within your community(ies) or organization:

- Determine your capacity to develop a law or policy: Is there a language committee or group devoted to revitalization? Is it possible at this stage to conduct business in the language?
- Consider your existing capacity and how the law or policy can help you reach your goals and long-term vision for the language.
- Consider how the law or policy strengthens the implementation of a language plan – the aim is to keep the language alive.
- Develop a language policy statement, including: mission, goals, declaring the language(s) of the community or organization, setting out authorities, and other statements considered important, e.g. specific language activities or an implementation plan, among others.

Each First Nations language and community is at a different state of vitality and readiness. The development of language strategies and goals must consider, reflect, and be adaptable to these realities.



Part 6:

Glossary of Terms

GLOSSARY OF TERMS

Access: All Indigenous languages need to be accessible to all Indigenous people regardless of where they reside.

Act (the): Refers to Bill C-91, An Act respecting Indigenous languages.

Adequate: Needs-based and long term in nature.

Bilingual education: Refers to a school program where two (or more) languages (one of which is a First Nations language) are used for content instruction.

Capacity development: Refers to activities with the purpose of transferring knowledge and/or expertise to assist First Nations governments, governing bodies and entities in developing, strengthening and maintaining their capabilities to set and achieve their own language reclamation, revitalization, maintenance and strengthening objectives, as developed through languages needs assessments and language plans.

Core-type funding: Funding provided to eligible recipients of the First Nations Language Program on a long-term basis.

Cross-jurisdictional partnership: Collaborative arrangements or agreements between eligible recipients based in Canada and First Nations language initiatives based in other countries, such as the United States, for the express practical purpose of advancing language revitalization, reclamation, maintenance, strengthening, and other language promotion activities where the respective language and dialect is also Indigenous or used in that jurisdiction. For example, these are some of the languages for which the speakers are based in both Canada and the United States; Anishinaabemowin, Dakota, Gwich'in, Kanien'keha, Kil/Xaayda Kil, Ktunaxa, Lakota, Lingít, Nakota, Tlingit, and Upper Tanana.

Cultural Centre(s): An institution or organization mandated to protect, preserve, and/or revitalize the culture of language for any group(s). This may include various functions as related to languages, such as: developing educational resources and materials; conducting language programs and/or cultural activities; facilitating land-based/water-based activities and learning; engaging and supporting Elders and knowledge keepers; creating places to share and promote language and culture through various activities; and liaising with governments and/or other organizations or institutions.

GLOSSARY OF TERMS

Dialect: One or more varieties of a language that is developed from the same ancestral language and is understood by people who speak other dialects within the same language. These varieties can vary in pronunciation, word and sentence structure, and meaning. [3]

Documentation: Refers to activities where the main purpose is to document a First Nations language through various media, including archiving, recording and transcribing language speakers.

Evaluation: The systematic, neutral collection and analysis of evidence to judge merit, worth or value. In government, evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine questions related to relevance, effectiveness and efficiency. Depending on user needs, however, evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

First Nation(s): A First Nation can be an Indian Act Band or Self-Governing First Nation.

Interim First Nations Working Group: Refers to the group of First Nations language experts that will continue to co-development process, including work on funding, and will take part in the decision making and review of the co-development process for Indigenous languages legislation, particularly in respect to the implementation of the Act as it impacts First Nations.

Immersion (education): A method of language instruction that uses the language being taught as the only language of instruction. No other language is used. This method may comprise of a number of programming options, such as language nests master-apprentice, and immersion programming in schools.[4]

Indigenous-led (First Nations-mandated), Indigenous entity or entities, Indigenous organizations: Refers to an Indigenous entity that represents the interests of an Indigenous group and its members or, other than in section 45, that is specialized in Indigenous languages. This group has a common interest to reclaim, revitalize, maintain, and/or strengthen a (or multiple) First Nations language(s).

Indigenous Rights and Control: It is the constitutional and inherent right of each Indigenous government to direct, maintain and develop their own language and culture (Indigenous control of Indigenous languages).

[3] FPCC, 2018 http: //www.fpcc.ca/files/PDF/Language/Fact_Sheet_1_Language_Diversity.pdf
[4] FPCC, 2018 http: //www.fpcc.ca/files/PDF/Language/Fact_Sheet__5_Language_Immersion.pdf

GLOSSARY OF TERMS

Intergenerational language transmission: The natural process of passing on language by speaking it to children. [5]

Language: A form of human communication (spoken or written) consisting of the use of words in a structured and predictable way.[6]

Language branch: A collection of languages related through a common ancestor.

Language family: A set collection of languages with a common ancestral language or parental group that share similarities in grammar and vocabulary.

Language house: A language house is an adult language learning program that uses full immersion in a First Nations language. Adults live (or spend concentrated time) together with a fluent speaker, or with advanced speakers, and agree to only use the language of instruction in the house. [7]

Language nest: A language program for preschool children in which they are immersed in their First Nations language. [8]

Living languages: Refers to languages that are passed on by parents, family members and/or caregivers speaking the language to children in the home. This natural process is known as intergenerational language transmission, and is the means by which traditional Indigenous knowledge is transmitted and enacted in ritual.

Mentor-Apprentice: One language mentor and one language apprentice spend time in immersion together in a natural setting to gain or increase language proficiency. [9]

Language (needs) assessment: Policy tool used to shape a new program. A needs assessment involves primary data collection to identify the need for the program and includes a preliminary description of the program intervention required to address that need. In the context of language revitalization, a needs assessments establishes what types of projects, resources and infrastructures exist in each applicant community or communities. The assessment provides baseline information to inform language planning.

[5] FPCC, 2018 http: //www.fpcc.ca/files/PDF/Language/Fact_Sheet__9_Language_in_the_Home.pdf
[6] FPCC, 2018 http: //www.fpcc.ca/files/PDF/Language/Fact_Sheet_2_Language_Dialects.pdf
[7] Galley et al., 2017 http: //www.fpcc.ca/files/PDF/Language/FPCC_NationalDialogueSessionReport-Abridged.pdf
[8] FPCC, 2018 http: //www.fpcc.ca/files/PDF/Language/Fact_Sheet__5_Language_Immersion.pdf
[9] FPCC, 2018 http: //www.fpcc.ca/files/PDF/Language/Fact_Sheet__5_Language_Immersion.pdf

GLOSSARY OF TERMS

Partnership: Collaborative arrangements or agreements between First Nations and/or with non-First Nations organizations, governing bodies, or governments which must benefit the First Nation; with all rights remaining with the originating First Nation; and with all materials produced being available to the originating First Nation.

Second language speaker: An individual who has learned or is learning another language in addition to the first language he or she learned in childhood.

On-reserve: Refers to both First Nations individuals living on-reserve as well as First Nations living on Crown Land.

Off-reserve: Refers to anything that related to First Nations – people, services, or objects – that are not located on reserve lands.

Outcome(s): An external consequence attributed, in part, to an organization, policy, program or initiative. Outcomes are not within the control of a single organization, policy, program or initiative; instead, they are within the area of the organization's influence. Usually, outcomes are further qualified as immediate, intermediate, ultimate (or final), expected, direct, etc.

Performance: What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

Performance indicator/measure: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

Performance reporting: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

Policy: A formal direction that imposes specific responsibilities. A policy explains what governments, governing bodies, or organizations are expected to achieve.

GLOSSARY OF TERMS

Program(s): A group of related inputs and activities that are designed and managed to meet a specific public need and are often treated as a budgetary unit.

Project(s): An activity or series of activities that has a beginning and an end. A project is required to produce defined outputs and realize specific outcomes in support of a public policy objective, within a clear schedule and resource plan. A project is undertaken within specific time, cost and performance parameters.

Project-type funding: Funding provided to eligible recipients to support the overall objectives and long-term programs (funded on a core-type, long-term basis) of the First Nations Language Program.

Regional entity (entities): Refers to Indigenous-led organizations that conduct First Nations language activities on regional or semi-regional basis, either within a provincial jurisdiction or across jurisdictions.

Part 7:

Appendices

APPENDIX 1: Truth and Reconciliation Calls to Action, as related to Indigenous languages

The Truth and Reconciliation Commission's Calls to Action responded to in Bill C-91, as related to Indigenous languages, include:

13. We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights

14. We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:

i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.

ii. Aboriginal language rights are reinforced by the Treaties.

iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation.

iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.

v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.

15. We call upon the federal government to appoint, in consultation with Aboriginal groups, an Aboriginal Languages Commissioner. The commissioner should help promote Aboriginal languages and report on the adequacy of federal funding of Aboriginal-languages initiatives.

16. We call upon post-secondary institutions to create university and college degree and diploma programs in Aboriginal languages.

17. We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.

APPENDIX 2: The United Nations Declaration on the Rights of Indigenous Peoples articles, as related to Indigenous languages:

Article 1
Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.

Article 5
Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 8
1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

2. States shall provide effective mechanisms for prevention of, and redress for:

a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

d) Any form of forced assimilation or integration;

e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 11
1. Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

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.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

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.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights

Appendix 3: AFN Resolutions – Resolutions 35/1998, 01/2015, 06/2015, 77/2017, 46/2018

National Indian Brotherhood

ASSEMBLY OF FIRST NATIONS

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Assembly of First Nations
19th Annual General Assembly
Toronto, Ontario
June 23 – 25, 1998

Resolution No. 35/98

SUBJECT: First Nation Languages

WHEREAS the survival of our languages is essential to our cultural survival as Peoples; and

WHEREAS the last thirty years have seen the most drastic decline in First Nation languages in Canada, to the point where all but three are on the point of extinction with few or no child speakers; and

WHEREAS drastic and immediate steps must be taken to begin to reverse the accelerating pace of First Nation language loss and to ensure the survival of First Nation languages facing extinction; and

WHEREAS experience has shown that immersion education, where it has been fully implemented (amongst the Mohawks, Hawaiians, Maoris, Shuswap, Blackfoot and Inuit) produces large numbers of child speakers and high rates of school completion, and is the fastest and most efficient means of reversing language loss;

THEREFORE BE IT RESOLVED THAT the Chiefs-in-Assembly hereby declare a State of Emergency respecting our First Nation languages, and call upon the government of Canada to act immediately to recognize, officially and legally, the First Nation languages as part

Moved by:

Chief Robert Levy
Big Cove First Nation

Seconded by:

Chief Lydia Hwitsum
Cowichan First Nation

Carried

Certified copy of a Resolution made June 25, 1998 at Toronto, Ontario

Phil Fontaine
National Chief

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Assembly of First Nations
19th Annual General Assembly
Toronto, Ontario
June 23 – 25, 1998

Resolution No. 35/98

of the official 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; and

BE IT FURTHER RESOLVED THAT the Government of Canada, in partnership with the Assembly of First Nations, establish a national First Nation Languages Foundation as a vehicle for the promotion of our languages, in keeping with the recommendation of the Royal Commission on Aboriginal Peoples; and

BE IT FURTHER RESOLVED THAT the aforesaid national institution be mandated, utilizing our own First Nation educators and educational institutions, to facilitate the conduct of research and documentation of First Nations languages, the development of First Nation language immersion curricula, the training of First Nation language immersion teachers, and the promotion of First Nation languages in our communities and in mainstream education institutions; and

BE IT FINALLY RESOLVED THAT the Chiefs-in-Assembly call upon the Government of Canada to allocate sufficient resources to enable the established Chiefs' Committee on Languages to conduct its work in keeping with its mandate.

Phil Fontaine
National Chief

Assembly of First Nations

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ANNUAL GENERAL ASSEMBLY
JULY 7, 8 & 9, 2015, MONTRÉAL, QC

Resolution no. 01/2015

TITLE:	**Support for the Full Implementation of the Truth and Reconciliation Commission of Canada's Calls to Action**
SUBJECT:	Indian Residential Schools
MOVED BY:	Chief Michael LeBourdais, Whispering Pines/Clinton First Nation, BC
SECONDED BY:	Chief Ronald Ignace, Skeetchestn Indian Band, BC
DECISION	Carried by Consensus

WHEREAS:

A. The work of the Truth and Reconciliation Commission of Canada (TRC) has played a vital and necessary role in beginning the lengthy process of reconciliation. Collectively, we must also stand up together to recognize and celebrate the courage of all of the Survivors who have stepped out of the dark to share their stories, their histories, their truths of the depths and consequences of the multi-layered and intergenerational impacts of the Indian Residential School system. The release of this report is an important opportunity now for Canada and the Provinces, in partnership with First Nations, to jointly commit to change.

B. It is because of the courage of these survivors that justice was achieved through the 2007 Indian Residential Schools Settlement Agreement, and that the TRC was established under the terms of the 2007 Indian Residential Schools Settlement Agreement.

C. The TRC has organized 7 national events and gathered more than 7,000 statements from Survivors. The TRC's 6-year mandate was to create awareness about and document the history and ongoing legacy of the Indian Residential School system as well as guide and inspire a process of truth, healing and reconciliation.

D. On June 2, 2015, Justice Murray Sinclair released the TRC's document titled, *Honoring the Truth, Reconciling for the Future: A Summary of the Final Report of the Truth and Reconciliation Commission of Canada*, during the TRC closing events in Ottawa, ON. The summary report contained 94 Calls to Action to all levels of government and must be implemented as the bare minimum to respect, recognize and reconcile for the sake of our future generations.

Certified copy of a resolution adopted on the 8th day of July, 2015 in Montréal, Québec

PERRY BELLEGARDE, NATIONAL CHIEF

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ANNUAL GENERAL ASSEMBLY
JULY 7, 8 & 9, 2015, MONTRÉAL, QC **Resolution no. 01/2015**

E. The United Nations Declaration on the Rights of Indigenous Peoples states:

i. Article 8 (2): States shall provide effective mechanisms for prevention of, and redress for:

a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities.

d) Any form of forced assimilation or integration.

F. Reconciliation must be supported by a legislative, regulatory, policy and administrative framework that not only encompasses the TRC's Calls to Action, but supports mechanisms for ongoing reconciliation between First Nations and the Crown.

G. As a show of genuine commitment to reconciliation and in recognition of its responsibility to uphold the Honour of the Crown, the Federal Government, as well as Provincial, Territorial and Municipal Governments, should take immediate steps to fully implement all Calls to Action contained within the summary of the Final Report of the TRC.

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

1. Call upon the Federal, Provincial, Territorial and Municipal Governments to take immediate steps to fully implement all of the Calls to Action contained within the summary of the Final Report of the Truth and Reconciliation Commission of Canada (TRC), released on June 2, 2015.
2. Mandate the Assembly of First Nations (AFN) Secretariat to create and coordinate a political working group comprised of members of the AFN Executive to develop an action toolkit that clarifies the roles of the AFN, the regions and the First Nations, with respect to the implementation of the TRC Calls to Action.
3. Mandate the AFN Secretariat to report back to the Chiefs-in-Assembly by way of a Progress Report on this specific resolution at every AFN assembly, including Annual General Assemblies and Special Chiefs Assemblies, for the next five years.

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Perry Bellegarde

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ANNUAL GENERAL ASSEMBLY
JULY 7, 8 & 9, 2015, MONTRÉAL, QC

Resolution no. 06/2015

TITLE:	**Revitalization of Indigenous Languages: Concrete Actions to Support Indigenous Language Teachers and Cultural Centres**
SUBJECT:	Indigenous Languages and Culture
MOVED BY:	Chief Walter Naveau, Mattagami First Nation, ON
SECONDED BY:	Chief Gilbert Ledoux, Muskeg Lake Cree First Nation, SK
DECISION	Carried by Consensus

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples (the 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 UN Declaration is a framework of reconciliation and restitution, including for the damages resulting from the colonial laws and policies that created the Indian Residential School system.

C. United Nations Educational, Scientific and Cultural Organization (UNESCO) has stated that "Indigenous languages are most threatened in Canada".

D. The 94 Calls to Action by the Truth and Reconciliation Commission of Canada include extensive work on Indigenous peoples' language revitalization.

E. Community Language and Cultural Centres work diligently to revitalize Indigenous languages. They do not receive adequate recurring core funding to support their programs, which ensure healthy and vibrant language and cultural retention.

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ANNUAL GENERAL ASSEMBLY
JULY 7, 8 & 9, 2015, MONTRÉAL, QC **Resolution no. 06/2015**

F. Funding is inadequate to support language advocates and teachers who require teams of traditional knowledge holders, fluent speakers, artists and technical support to create curriculum for the evolving teaching methods for children and youth.

G. The urgency for adequate financial and human resource funding to community Language and Cultural Centres is reaching critical levels, in part due to the annual loss of our traditional knowledge holders and fluent speakers.

H. Indigenous languages are often underfunded and under-supported in our communities.

I. 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 and high schools. Language revitalization should be inclusive of all community members.

J. Indigenous traditional knowledge is embedded within our ancient and precious languages and must be preserved for present and future generations to utilize and enjoy.

K. The urgency of Indigenous languages revitalization should be a priority for all levels of Indigenous governance, activism, education, health and culture, as an integral part of our collective right to self-determination.

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

1. Mandate the National Chief to begin the process of negotiating with Federal, Provincial, and Territorial Governments to provide adequate financial resources, at a minimum equal to those provided for official languages, for the work of language revitalization. Policy and legislative changes at the Federal, Provincial and Territorial level should be created to appropriately support Indigenous language revitalization as part of the reconciliation process flowing from the Truth and Reconciliation Commission of Canada's Final Report and Calls to Action.
2. Direct that negotiations be undertaken to prompt concrete measures to change the education standards, policies and funding arrangements of community schools education system that reflects, promotes and revitalizes Indigenous peoples' identity, languages, and culture.
3. Call for a revitalization strategy that:
   i. Builds on existing resolutions and reports, e.g., 2005 *Towards a New Beginning: A Foundational Report for a Strategy to Revitalize First Nation, Inuit and Métis Languages and Cultures.*

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ANNUAL GENERAL ASSEMBLY
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ii. Includes collaboration with the ongoing efforts of the regions, First Nations, Educators, and Indigenous Language experts.

iii. Provides for the working groups and processes necessary to develop and implement the strategy.

iv. Identifies priority areas for implementation such as, but not limited to, early childhood supports, immersions programs, lifelong learning approaches, archival efforts and rights-based advocacy.

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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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SPECIAL CHIEFS ASSEMBLY
December 5, 6 & 7, 2017, Ottawa, ON **Resolution no. 77/2017**

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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SPECIAL CHIEFS ASSEMBLY
DECEMBER 4, 5, AND 6, 2018, OTTAWA, ON

Resolution no. 46/2018

TITLE:	**United Nations International Decade of Indigenous Languages**
SUBJECT:	Languages
MOVED BY:	Chief Valerie Richer, Atikameksheng Anishnawbek, ON
SECONDED BY:	Chief Nelson Toulouse, Sagamok Anishnawbek First Nation, ON
DECISION	Carried by Consensus

WHEREAS:

A. The United Nations Declaration on the Rights of Indigenous Peoples 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, 17, 84 & 85) 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:

i. "That the Government of Canada act immediately to recognize, officially and legally, the First Nations languages of Canada, and to make a commitment to provide the resources necessary to reverse First Nations languages loss and to prevent the extinction of our languages..."

Certified copy of a resolution adopted on the 4th of December 2018 in Ottawa, ON.

PERRY BELLEGARDE, NATIONAL CHIEF

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SPECIAL CHIEFS ASSEMBLY
DECEMBER 4, 5, AND 6, 2018, OTTAWA, ON **Resolution no. 46/2018**

i. "That the Government of Canada act immediately to recognize, officially and legally, the First Nations languages of Canada, and to make a commitment to provide the resources necessary to reverse First Nations languages loss and to prevent the extinction of our languages..."

D. The United Nations Educational, Scientific and Cultural Organization (UNESCO) reports that three-quarters of Indigenous languages in Canada are "definitely", "severely" or "critically" endangered.

E. UNESCO participates in the celebration of International Years and Decades, as proclaimed by the General Assembly of the United Nations. The year 2019 has been declared the International Year of Indigenous Languages by UNESCO.

F. Proposals for international decades are typically advanced by one or more Member States of the United Nations. Proposals are submitted to the United Nations Economic and Social Council (ECOSOC), which recommends their adoption by the General Assembly. There is usually a two-year interval between the submission of a proposal and the declaration of a decade. The declaration itself can be made either by the General Assembly or a specialized agency of the United Nations, e.g. UNESCO.

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

1. Call upon the General Assembly of the United Nations to make a timely declaration of an International Decade of Indigenous Languages.
2. Call upon the federal government to propose, advocate, and support a timely United Nations declaration of an International Decade of Indigenous Languages.
3. Direct the Assembly of First Nations to engage with the United Nations, the federal government, and all appropriate bodies, organizations and governments to advocate for an International Decade of Indigenous Languages.

Certified copy of a resolution adopted on the 4th of December 2018 in Ottawa, ON.

Perry Bellegarde

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