



DECLARATION ON FIRST NATIONS LANGUAGES RIGHTS

WHEREAS First Nations languages have been spoken on our territories since time immemorial, and have evolved over time;

WHEREAS First Nations languages are fundamental and inseparable from the worldviews and self-determination of First Nations, including their legal traditions, laws, customs, values, traditions, knowledge, identities, cultures, spirituality, and their sacred relationship with Mother Earth and their territories;

WHEREAS the protection, preservation, strengthening and transmission of First Nations languages to present and future generations are essential to the sustainability of First Nations cultures, knowledge and peoples, as well as to safeguarding the cultural and biological diversity of our territories;

WHEREAS orality and oral tradition are fundamental to the learning and transmission of First Nations languages;

WHEREAS systemic discrimination and racism and the assimilationist cultural and educational policies of the federal and provincial governments have hindered the transmission of First Nations languages;

WHEREAS today the sustainability of First Nations languages is threatened and urgent action is required to ensure their safeguarding;

WHEREAS the protection, preservation, strengthening and transmission of First Nations languages to present and future generations are an inherent and sacred responsibility, requiring significant efforts on the part of First Nations and First Nations people, beginning with speakers, parents, families and Elders;

WHEREAS First Nations' right to self-determination and language rights are:

1. inherent rights—they come from the Creator, are sacred, inalienable and have existed since time immemorial;
2. generic rights—they apply to all First Nations;
3. rights that have both individual and collective aspects;
4. Aboriginal rights and, where applicable, treaty rights, recognized and affirmed by the Canadian Constitution;
5. rights protected by international law, including the *United Nations Declaration on the Rights of Indigenous Peoples*, the *Convention on the Rights of the Child*, the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* and the *International Covenant on Economic, Social and Cultural Rights*;

WHEREAS these inherent rights must be interpreted in light of the legal traditions and laws of each First Nation, as well as other related declarations of the Assembly of First Nations Quebec-Labrador, including the *Declaration on the Rights of First Nations to Self-Determination and Cultural Security* and the *Declaration on the Rights of First Nations Children*;

WHEREAS inherent rights are not fixed and may evolve;

WHEREAS First Nations language rights are positive rights, which require that First Nations governments, as well as federal and provincial governments, take positive measures to ensure their respect and implementation, both within First Nations institutions and in federal and provincial institutions;

WHEREAS the standards applicable to First Nations' right to self-determination and language rights and their funding are substantive equality and restitution;

WHEREAS the First Nations language rights provided for in this Declaration apply regardless of whether a person can understand or communicate in a colonial language;

WHEREAS this Declaration reflects and is part of the legal orders and traditions of each of the signatory First Nations;

WHEREAS this Declaration is made in exercise of the inherent rights of each signatory First Nation to self-determination and self-government, which includes responsibility and jurisdiction over language and culture;

NOW, THEREFORE, the Chiefs in Assembly of the Grand Circle of our First Nations (AFNQL) adopt and proclaim the following declaration:

Rights and access to territories

1. Given the intrinsic and fundamental relationship between First Nations languages and territory, First Nations and First Nations people have the right to their territories, including the right to access their territories for the purposes of exercising their inherent right to self-determination and language rights.

Inherent right to linguistic and cultural self-determination

2. First Nations have the inherent right to linguistic and cultural self-determination, which endows them with political and decision-making authority over their languages and cultures. By virtue of this right, they freely determine their political status and freely ensure their economic, social, and cultural development.

Right to self-government

3. First Nations have a right to self-government, which includes responsibility and legislative jurisdiction over language and culture.

Inherent, Aboriginal and treaty rights relating to language and culture

4. First Nations' rights to self-determination and self-government in matters of language and culture must be interpreted in light of their inherent, Aboriginal or pre-Confederation or modern treaty rights.

Official language status

5. Recognizing that First Nations languages are the original languages of their territories, the First Nations grant their First Nations languages in their respective territories and communities official language status.

Fundamental rights and responsibilities concerning First Nations languages

6. First Nations and First Nations people have a shared right and responsibility to protect, preserve, strengthen, and transmit their First Nations languages to present and future generations.
7. First Nations and First Nations people have the right to use and express themselves freely in their First Nations languages.

8. First Nations and First Nations people have the right to choose and keep their names in their First Nations language, whether they be the names of persons, communities, or places across our territories.
9. First Nations and First Nations people have the right to access technologies that facilitate the learning, dissemination, and strengthening of First Nations languages.
10. All speakers have a sacred responsibility to speak and pass on their First Nations languages to their families and acquaintances.

Education

11. All parents who can speak their First Nations languages have a responsibility to speak and pass it on to their children.
12. All First Nations children have the right to learn and to receive instruction in their First Nations languages.
13. First Nations are committed to promoting the development and learning of First Nations languages among young children, including by providing materials and programs in First Nations languages in daycare services.
14. Wherever possible, First Nations are committed to offering pre-school to post-secondary education and land-based programs in their First Nations languages.
15. All First Nations people have a sacred right and responsibility to learn their First Nation language as a second language at the college and university level, or throughout their lives through First Nations language acquisition and upgrading adult programs.
16. The signatory First Nations undertake to offer First Nations language acquisition and upgrading programs for adults.

Arts and media

17. First Nations and First Nations people have the right to establish and operate media in their First Nations languages.
18. First Nations and First Nations people have the right to develop, take part in, and disseminate cultural or artistic creations in their First Nations languages.
19. Wherever possible, the signatory First Nations undertake to support the establishment and operation of independent media, as well as artistic creations in their First Nations languages.
20. First Nations have the right to access radio programs in their First Nations language through Indigenous community radio and more generally within the Canadian broadcasting system.

Communication and public services

21. First Nations and First Nations people have the right to request and receive public communications and services in their First Nations languages.
22. Wherever possible, signatory First Nations undertake to communicate and provide their services in their First Nations languages, or to provide upon request translations or simultaneous interpretation services in their First Nations languages.

Work

23. Wherever possible, First Nations and First Nations people have the right to use their First Nations languages in the workplace, including in the recruitment process.
24. Knowledge of First Nations languages is a criterion that must be given value in the evaluation of candidates for positions within First Nations institutions, as well as in federal and provincial institutions when the position concerns First Nations issues or involves communicating with or providing services to First Nations people.
25. Signatory First Nations commit to taking measures to increase the use of their First Nations languages within their own institutions, including by adopting language policies, offering their employees training to learn or upgrade their First Nations languages, and creating learning incentives for the promotion, remuneration, and skill levels of their employees.

Laws and conflict resolution

26. First Nations have the right, and the signatory First Nations undertake, wherever possible, to develop, adopt, and disseminate their laws in their First Nations languages.
27. First Nations and First Nations people have the right to use their First Nations languages in debates and work relating to the development of laws.
28. The signatory First Nations undertake, wherever possible, to provide simultaneous interpretation services in their First Nations languages in their debates and work relating to the development of their own laws.
29. First Nations and First Nations people have the right to use their First Nations languages in legal proceedings or dispute resolution processes in which they participate.
30. At the request of a First Nations person, signatory First Nations undertake, wherever possible to providing simultaneous interpretation and translation services in their First Nations languages in their legal proceedings and conflict resolution processes.

Commerce and business

- 31.** First Nations and First Nations people have the right to use their First Nations languages in commerce and business.
- 32.** All First Nations businesses and enterprises have the right to bear a name in their First Nations languages.
- 33.** Signatory First Nations undertake to promote the use of their First Nations languages by businesses and enterprises located in their communities or, when their clientele is largely First Nations, in their territories, in terms of signage, commercial advertising, and communication with their clientele and the public.

Competency certificates in First Nations languages

- 34.** First Nations have the right and responsibility to issue competency certificates in translation, interpretation, or the teaching of First Nations languages.
- 35.** Wherever possible, First Nations signatories undertake to develop these three types of competency certificates, including the criteria and training required to obtain them.

The right to substantive equality and to continuity of services

- 36.** First Nations and First Nations people are entitled to dignity, substantive equality, and protection against direct, indirect, and systemic discrimination in the enjoyment of their rights, including their self-determination and language rights, within First Nations, federal, and provincial institutions.
- 37.** In accordance with the principle of substantive equality, whether in First Nations institutions or in federal and provincial institutions, services or programs, including concerning First Nations languages, must among other things:
 - a. be culturally appropriate, which includes services in their First Nations languages;
 - b. be of a quality at least equivalent to that of services offered to the Canadian population, including for interpretation and translation services;
 - c. take into account the devastating impacts and legacy of residential schools and intergenerational trauma, including those related to the prohibition of speaking and transmitting First Nations languages, and the loss of knowledge of their languages for First Nations, both at the collective and individual level.

- 38.** First Nations and First Nations people have the right to the continuity of culturally appropriate education and public services, including education and public services in their First Nations languages. Education and services must not be interrupted, or otherwise limited, due to jurisdictional disputes, lack of cooperation or lack of coordination between First Nations, Canadian, and provincial service providers.

Right to reparation and restitution of First Nations languages

- 39.** First Nations have the right to reparation and the restitution of their First Nations languages in the state they would have existed in had they not been subjected to assimilationist policies that were destructive to their languages and cultures.

Funding

- 40.** First Nations and First Nations people have the right to equitable, predictable, and sustainable funding to ensure that their self-determination and language rights are respected and implemented.
- 41.** The applicable standards for determining what constitutes equitable, predictable, and sustainable funding are those of substantive equality and restitution.

Intergovernmental relations between First Nations, Canada, and the provinces

- 42.** In accordance with the principle of free, prior, and informed consent, Canada and the provinces have an obligation to collaborate in good faith with First Nations to develop effective measures and remedies—including funding programs, policies, and legislation—to ensure that First Nations’ inherent self-determination and language rights set out in this Declaration are respected and exercised, including within their own institutions.
- 43.** The effective measures and remedies to be taken by Canada and the provinces pursuant to section 42 may be the subject of intergovernmental partnerships or agreements with First Nations and must, at the very least:
- a. be developed jointly with First Nations governments, adopting an egalitarian government-to-government approach;
 - b. be expressly consented to in their entirety by the First Nations governments on a free, prior, and informed basis;
 - c. ensure the sustainability of First Nations languages for future generations;
 - d. meet substantive equality.

44. Canada and the provinces have the obligation to provide the financial and technical means so that First Nations are able to participate fully in the development of the measures and remedies provided for in articles 42 and 43 of this Declaration.

Non-derogation

45. Nothing in this Declaration is intended to limit the inherent, Aboriginal or treaty rights and jurisdictions of First Nations.

Adoption of the Declaration

46. The present Declaration is adopted by consensus of the Chiefs and their duly appointed representatives present at the Special Assembly of the Assembly of First Nations Quebec-Labrador held in Saint Sauveur, Quebec, on September 4, 2024.