



BC ASSEMBLY OF FIRST NATIONS

1004 Landooz Road
Prince George, BC V2K 5S3
Website: www.bcafn.ca

BCAFN SPECIAL CHIEFS ASSEMBLY
March 7 & 8, 2024
Online via Zoom

Resolution 06/2024

SUBJECT: ADDRESSING UNDERFUNDING OF BC FIRST NATIONS LANGUAGES AND SUPPORT FOR THE DEVELOPMENT OF A BC FIRST NATIONS LANGUAGES ACT

MOVED BY: CHAIRPERSON KHELSELEM, SQUAMISH NATION

SECONDED BY: KUKPI7 FRED ROBBINS, ESK'ETEMC

DECISION: CARRIED

WHEREAS:

- A. First Nations have the inherent, Treaty and constitutionally protected rights to revitalize, learn, use, transmit, and access services in their First Nations language;
- B. The United Nations Declaration on the Rights of Indigenous Peoples, which the government of Canada has adopted without qualification, and which British Columbia and Canada have committed to implement through legislation reaffirms these rights under:

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;

Certified copy of a resolution adopted on the 8th day of March 2024

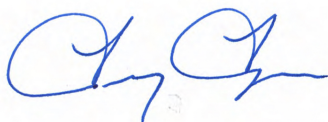
Terry Teegee, BC Regional Chief

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. 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; and

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;

- C. The *Indigenous Languages Act* (Bill C-91) received Royal Assent on June 19, 2019 which provides legal assurance for adequate, sustainable and long-term funding for First Nations-led efforts to revitalize their languages;
- D. According to the First Peoples Cultural Council's (FPCC), there are 36 actively used First Nations languages in BC representing more than 50% of all Indigenous languages in Canada. Many First Nations languages in British Columbia face challenges as a result of colonization and decades of chronic underfunding;
- E. The FPCC is the only organization in Canada to produce a data-driven province-wide report on the status of First Nations languages;
- F. The Assembly of First Nations (AFN) *Revitalizing First Nations Languages: A Costing Analysis* estimates the annual cost of First Nations languages revitalization across Canada to be \$2.003 billion;
- G. The Government of Canada has only committed approximately \$52 million to First Nations languages across Canada in 2024-2025 and subsequent years, despite their legislative commitments to facilitate the provision of adequate and sustainable funding for First Nations languages in the *Indigenous Languages Act*;
- H. In July 2023, at the AFN Annual General Assembly, First-Nations-in-Assembly voted to not pass draft resolution 26 *Equitable Funding for Languages Revitalization*, which sought ratification for a new Equally Weighted Regional Allocation Formula for the Department of Canadian Heritage Indigenous Languages Component funding. This formula was proposed by the AFN Chiefs Committee on Languages (CCOL); however, BC Chiefs expressed concern that the proposed formula would significantly negatively impact the amount of funding for the BC region (as well as several other regions) and that more work was needed to arrive at a consensus-based, data-informed formula.

Certified copy of a resolution adopted on the 8th day of March 2024



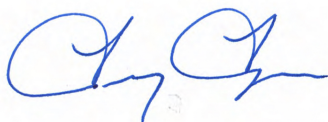
Terry Teegee, BC Regional Chief

- I. Compared to the current funding formula, the CCOL Regional Allocation Formula with equally weighted factors would reduce BC's allocation by approximately 10%.
- J. The rationale for the Regional Allocation Formula is to equally weight factors of: population, language vitality, number of languages, number of First Nations, and regional remoteness. This weighting is based on incomplete data that does not consider the base costs associated for language revitalization per First Nations language. As such, the number of languages should be proportionately factored into an equitable funding formula.
- K. By way of BCAFN Resolution 24/2023, the BCAFN Chiefs-in-Assembly mandate the following:
 - a) call on the AFN and Chiefs Committee on Languages, Technical Committee on Languages and Assembly of First Nations (AFN) to continue their work to develop an equitable Regional Allocation Formula and to arrive at a consensus-based recommendation to bring back to the AFN First Nations-in-Assembly to be reviewed;
 - b) call on the Chiefs Committee on Languages, Technical Committee on Languages and the AFN to continuously monitor the equitability of the Regional Allocation Formula and its impact on regional language revitalization activities, and engage in research that informs the future use of additional factors and improved data quality; and
 - c) call on the AFN to ensure that its advocacy does not detract or hinder existing First Nations agreements which contain language components from advancing their current language processes.

THEREFORE BE IT RESOLVED THAT:

1. The BCAFN Chiefs-in-Assembly calls on the federal and provincial government to acknowledge and uphold the unceded First Nations' title, rights and sovereignty related to language preservation and revitalization through a distinctions-based approach.
2. The BCAFN Chiefs-in-Assembly unequivocally reject the proposed Equally Weighted Regional Allocation Formula as proposed by the AFN Chiefs Committee on Languages and call on the AFN Chiefs Committee on Languages to keep the current funding formula unchanged until consensus is reached by all regions;
3. The BCAFN Chiefs-in-Assembly call on the AFN Technical Committee on Languages and Chiefs Committee on Languages to negotiate a funding formula that:
 - a) is evidence-based, data-driven and consented to by First Nations;
 - b) prioritizes the number of languages and level of endangerment to ensure fair distribution of language funding across the regions;

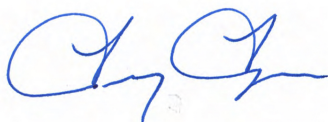
Certified copy of a resolution adopted on the 8th day of March 2024



Terry Teegee, BC Regional Chief

- c) is reviewed by the Technical and Chiefs Committee on Languages on an annual basis to ensure the formula is informed by up to date data;
4. the BCAFN Chiefs-in-Assembly direct the BCAFN, as another option to seek equitable funding for the BC Region, to develop a report and seek legal advice on the advisability and feasibility of a class action lawsuit and/or human rights tribunal cases against the Province of British Columbia and the Government of Canada for the underfunding of Indigenous Languages for BC First Nations, and report back to the Chiefs-in-Assembly as soon as is practicable with recommendations on next steps;
 5. the BCAFN Chiefs-in-Assembly direct the BCAFN, in collaboration with other like-minded organizations, to call on the Province of British Columbia requesting their expressed support of working with BC First Nations to develop a BC First Nations Languages Act that upholds Indigenous Rights with Languages as well calling on the Province to commit to a timeline to ensure necessary steps are taken to develop and implement proposed legislation;
 6. the BCAFN Chiefs-in-Assembly direct the BCAFN, working in collaboration with other like-minded organizations, to develop a framework for a BC First Nations Languages Act; and
 7. the BCAFN Chiefs-in-Assembly direct the Regional Chief and BCAFN staff to diligently pursue and execute the directives outlined in this resolution, working collaboratively with relevant stakeholders and report on progress to the BCAFN Chiefs-in-Assembly at the upcoming Annual General Meeting in September 2024.

Certified copy of a resolution adopted on the 8th day of March 2024



Terry Teegee, BC Regional Chief