



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

44th PARLIAMENT, 1st SESSION

Standing Committee on Procedure and House Affairs

EVIDENCE

NUMBER 016

Thursday, April 7, 2022

Chair: The Honourable Bardish Chagger



Standing Committee on Procedure and House Affairs

Thursday, April 7, 2022

• (1105)

[Translation]

The Chair (Hon. Bardish Chagger (Waterloo, Lib.)): Good morning everyone.

I call the meeting to order.

Welcome to meeting number 15 of the House of Commons Standing Committee on Procedure and House Affairs.

In the first hour of the meeting, the committee will continue its study on the inclusion of indigenous languages on federal election ballots.

[English]

We have two panels of witnesses again today, joining us virtually. The first panel will include Jean-François Daoust, assistant professor at the University of Edinburgh; Dwight Newman, professor of law and Canada research chair in indigenous rights in constitutional and international law at the University of Saskatchewan; and Allison Harell, professor in the political science department of the Université du Québec à Montréal.

On behalf of PROC committee members, I would like to welcome you all here today. We will get right into it, with up to five minutes for your opening comments.

We'll start with Monsieur Daoust.

[Translation]

Dr. Jean-François Daoust (Assistant Professor, University of Edinburgh, As an Individual): Thank you, Madam Chair.

Good morning, everyone.

When I learned the subject of today's discussion, I saw three separate components.

First, we have to look at the principles and values of our society that would lead us to include, or not, indigenous languages on federal election ballots. This is a fundamental discussion described as "normative" that relies on the values of Canadians.

The second component is the technical aspect. How might it work and be applied in practice?

The third and final aspect is the involvement and potential consequences from what we know of empirical studies of election participation by indigenous people.

I am going to focus on the first and third components: the normative aspect and the empirical documentation aspect, leaving aside the technical considerations.

With respect to the normative aspect, we have to consider the values of our society. What are they? How can they be reflected in public policy and improve the electoral process? Obviously, Canadian society claims to be inclusive.

In political terms, and in connection with the electoral process, that means promoting inclusion of all groups in society, so that as many people as possible are able to participate in the political process, especially in elections, which are a key moment in our democratic cycle. In order for as many people as possible to participate in elections, we have to pay particular attention to the groups that systematically participate less in democratic life in our society.

In many regards, Canadian society in 2022 is not inclusive of indigenous communities. Indigenous people face systematic barriers and this means that they participate less in democratic life as compared to non-indigenous people.

It therefore seems entirely consistent and desirable to enable indigenous people to vote with instructions in their language that would be included on their ballot. For that reason, I think we should approach this question with a somewhat sympathetic view of this kind of initiative and its aim of inclusion.

I am now going to talk about the empirical aspect. I think the big question we have to ask ourselves is this: can we expect an increase in electoral participation by indigenous people as a result of this measure?

In my opinion, that is probably not the case; if it were, their participation would be very limited.

We should expect an increase in electoral participation if and only if this measure meant that it became easier for indigenous voters to go and vote and if this consideration, the ease of voting, has a major influence on their decision of whether or not to vote.

Although samples of data concerning indigenous people are very limited, the large majority of people obviously find that voting is either very easy or somewhat easy.

Second, we know that ease of voting is not one of the most important considerations that influence people's decision as to whether to vote or stay home on election day. In other words, the people who abstain from voting do so for other reasons that are not associated with how easy it is to vote.

In conclusion, with respect to the normative aspect and inclusion of indigenous people in Canadian society, I don't see any reason not to include indigenous languages on ballots.

However, with respect to the empirical aspects, from my reading of the documentation, we should not expect a significant increase in electoral participation by indigenous people, because the reasons why they abstain often lie elsewhere than in the ease of voting. While this bill is noble from a normative point of view, it does not consider those factors, for example indigenous people's interest in Canadian politics.

With that said, my conclusions are based on relatively limited research data and on samples gathered from indigenous people.

I think we have a great need for further studies to help us think about these questions. I am thinking, in particular, of the study by Patrick Fournier and Peter John Loewen published in 2011 and the study by Allison Harell, who is with us today, and her colleagues that was published in 2010.

That concludes my statement.

[English]

The Chair: Thank you so much.

[Translation]

You have given us a lot of information. Thank you very much.

I'm going to ask everyone to speak a bit more slowly to help with the interpretation and so that everyone is able to understand the remarks in the language of their choice.

It's now your turn, Professor Newman. You have the floor for five minutes.

[English]

Professor Dwight Newman (Professor of Law and Canada Research Chair in Indigenous Rights in Constitutional and International Law, University of Saskatchewan, As an Individual): Good morning, honourable members. I'm Dwight Newman and I work as a professor of law and Canada research chair in indigenous rights in constitutional and international law at the University of Saskatchewan. I appear today as an individual.

Proposals to add indigenous languages to election ballots in Canada have circulated in recent years. There's a new imperative to thinking on these matters insofar as Canada adopted last year the United Nations Declaration on the Rights of Indigenous Peoples Act, or UNDRIPA, which received royal assent on June 21, 2021.

Amongst its provisions, section 5 of that act establishes a statutory requirement for the government taking "all measures necessary to ensure that the laws of Canada are consistent with the Declaration." That's a far-reaching statutory obligation, and it bears on many topic matters that are seldom discussed.

Article 13.2 of the UN Declaration on the Rights of Indigenous Peoples has a clause requiring that states "take effective measures 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".

That clause of that article has received very little attention in the UNDRIP scholarship, but it represents an important commitment concerning participatory rights of indigenous peoples. Partly because article 13.2 establishes rights for indigenous peoples as collective entities, though, rather than pertaining to individuals, article 13.2 probably does not mandate any specific requirement of ballots being available to individual indigenous voters in indigenous languages.

However, the adoption of such a practice would certainly be in accord with the underlying objectives of the UNDRIP. The enhancement of indigenous participation in democratic decision-making accords with the declaration and represents good policy in a democratic state meant to have full involvement of all voters.

Sections 3 and 5 of the Canadian Charter of Rights and Freedoms, protecting the right to vote and rights against discrimination, may well offer stronger legal arguments against impediments to voting. As with other barriers that Elections Canada has worked to overcome, there are arguments for it to overcome linguistic barriers, particularly in the case of individuals who use other languages and have limited proficiency in English and French.

In some ways, Canada is behind on these issues, notably as compared with the United States. I draw the committee's attention to the 1975 amendments to the U.S. Voting Rights Act that added section 203, which established various forms of language assistance in districts where that was needed for minority language communities. That's decades back that the U.S. has done this, and there have been challenges at times on implementation, which has not always been smooth, but there has been a statutory commitment there in U.S. legislation.

In the context of indigenous peoples, though, the U.S. has had some ongoing challenges. Here, I would draw the committee's attention to the March 2022 "Report of the Interagency Steering Group on Native American Voting Rights", which was just reported to the White House and has examined a range of factors affecting indigenous participation in elections. There is discussion of language factors, but there is a wide range of other factors that need to be taken into account, which raises questions about what are going to be the most effective means of enhancing indigenous participation in elections.

With regard to the language issues at hand, there are a number of key questions to consider, which I know this committee has already been discussing in some ways: whether Nunavut is a special case and where there's a particularly strong argument; what population cut-offs might bear on whether it works to provide translation of ballots in a particular riding; issues concerning what particular form of indigenous languages might be used on ballots, whether in the form of syllabics or in transliterated forms in the context of languages that have both versions; and other issues concerning the costs generally and whether those costs might be more optimally invested in other ways of supporting indigenous electoral participation.

There are many things that we could talk about. I'll just say that there are also many options the committee could consider in terms of the most effective ways of advancing indigenous electoral participation in cautious ways. The use of sample or facsimile ballots is an option, rather than changing the main ballot. Other forms of language assistance are possible. The committee could also think about something like a pilot program in the context of Nunavut that would test things out in one riding before making Elections Canada try things out across the country all at once.

• (1110)

I'll stop there and just say that there are big questions about bridging principle, the aims of legislation and what legislation can and will achieve in practical ways.

It's wonderful to see the committee working to live up to commitments of supporting indigenous electoral participation. It's important to do that right.

The Chair: Thank you, Professor Newman.

Now we go to Professor Harell.

Five minutes goes to you. Welcome.

• (1115)

Dr. Allison Harell (Professor, Political Science Department, Université du Québec à Montréal, As an Individual): Thank you. Thank you for the opportunity to be here, Madam Chair.

I'd like to acknowledge that I'm calling from the unceded territories of the Kanien'kehá:ka nation on whose land the Université du Québec à Montréal is located.

I'd also like to situate my comments. I speak for myself as a specialist in the study of electoral democracy, and I'm particularly interested in my own research in how various groups and people can build a more inclusive democracy. My remarks this morning will be focused on what research in this area tells us.

I'd like to raise three issues that are worth considering when thinking about the inclusion of indigenous languages on ballots.

First, I think it's important to think about this issue from the perspective of barriers to political participation. We know quite a bit—and my colleagues have mentioned it on the committee this morning—about the reasons that people do not engage in federal elections in this country. In a past study that I conducted with Dimitrios Panagos and Scott Matthews in 2009 for Elections Canada, we showed that, as we have seen across many countries and contexts,

socioeconomic resources are an important barrier to all electors. This is true as well for indigenous people's participation in electoral politics. Yet we've also shown the importance of trust in the federal government and the salience of indigenous issues as mobilizing, especially for young indigenous electors. Here, I think, is where our findings are important for the current discussion before the committee.

The presence of indigenous languages on ballots is an important symbolic gesture to indicate that Canada is interested in the participation of indigenous peoples in the electoral process, that their voices are important and that we want to make sure that they're included in that conversation.

Indigenous peoples were, as you know, one of the last groups in Canada to have restrictions on their voting rights removed, which was in 1960, and historically have participated in federal elections at some of the lowest levels, though this varies across individual elections as well as across indigenous nations.

It's important to note that participating in elections is a choice, and while it is important for free and fair elections to remove barriers to participation, many indigenous people and nations choose not to participate in Canadian elections.

I'm not speaking on behalf of these communities in any way, but I think it is important to recognize that Canada's colonial history means that we need to ensure that indigenous people can participate on their own terms in our electoral processes while acknowledging that some may not see the electoral process as either legitimate or their own.

Making ballots multilingual could be a step to increase the legitimacy of the electoral process for these electors, and perceptions of legitimacy not only support broader participation but are also important for the health of our democratic system.

This brings me to my second point. As the Chief Electoral Officer of Elections Canada pointed out to this committee on March 29 of this year, the diversity of languages, the complexity of the production timelines and translations and the current regulatory framework make putting in place multilingual ballots a challenge.

I don't want to discount the organizational challenges that implementing this change would create, but I would like to point out that the presence of a ballot in one's own language can have multiple benefits. There are symbolic benefits. The importance of recognizing the rights of indigenous peoples, cultures and languages to exist and be included cannot be understated.

There is also a benefit of access for indigenous peoples to participate in their language of choice. For indigenous electors who speak a language other than English or French and prefer to speak a language other than English and French, English and French only ballots can create an unfair barrier to participation.

I think there's also a benefit towards reconciliation. If we're serious about reconciliation with indigenous peoples, then beyond the symbolic and access benefits to indigenous peoples themselves, we need to make a strong statement as settlers that indigenous nations are on equal footing with English and French in this country.

This brings me to my final point. I'm not an indigenous person; I'm a settler on these lands. I think the key issue for considering indigenous languages on ballots should be whether indigenous nations and electors want them in order to fully participate in the electoral process. While there may be costs and challenges in implementing multilingual ballots, I think reconciliation requires a serious commitment on our part to make accessible the electoral process to indigenous electors in their own language.

I'm glad we're having this conversation today, and I'm glad to be taking part in it.

Thank you.

The Chair: Thank you, Professor.

We will now get into six-minute rounds starting with Mrs. Block, followed by Mr. Turnbull. We have Mr. Turnbull, Madame Gaudreau and then Ms. Idlout.

Mrs. Block, you have the floor.

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Thank you very much, Madam Chair.

Through you I would like to welcome our witnesses to our meeting, and thank you very much for being here and joining us and providing us with your testimony.

I'm going to start by directing my questions through the chair to Professor Newman.

Welcome, Mr. Newman. It's good to see you joining us from Saskatchewan.

We have heard in previous testimony, or it has been suggested in previous testimony, that Canada is under a legal obligation to include indigenous languages on federal ballots, but in your comments you stated that there was no such obligation set out in UNDRIP.

Is there any other legislation, to your knowledge, that would make such a requirement?

• (1120)

Prof. Dwight Newman: The strongest argument, in my view, would come from the Canadian Charter of Rights and Freedoms and the possibility of an argument that there is an impediment to the right to vote and/or non-discrimination rights. If there were a successful argument along those lines—and I am not aware of any case law that has gone in that direction—it would probably bear not just on indigenous languages, but also on other minority languages in ridings that have populations that are similarly situated in some

respects in terms of speaking another language and not having proficiency in English or French at the highest of levels, and thus facing a barrier.

Beyond that, I wouldn't be aware of other legislation.

There would be some who might make an argument around section 35 of the Constitution Act, 1982, but I don't think it can easily apply to a federal election process, as opposed to providing general rights concerning maintenance of indigenous languages.

Mrs. Kelly Block: Thank you very much.

You also mentioned that UNDRIP establishes rights for indigenous people as collective entities, rather than as individuals.

Can you explain that difference and the impact it has on indigenous individuals in the political process?

Prof. Dwight Newman: UNDRIP, in some of its articles, uses the terminology of “indigenous peoples” having certain rights. In other articles it uses the terminology of “indigenous individuals” having certain rights, or certain rights are held by “peoples and individuals”.

In the context of article 13.2 on political proceedings or legal and administrative proceedings, the reference is to “indigenous peoples”. A natural reading of the language there would end up suggesting that it concerns the opportunity of peoples through their representatives to participate in political processes or legal processes. If there is a duty to consult issue where representatives of an indigenous people are concerned, they would certainly have rights that arise due to article 13.2, but it doesn't necessarily imply rights for individual indigenous voters in the context, say, of an election process even while there may be sound policy arguments for that, and welcome reasons for that in light of broader values.

But I don't take the view that there is a specific legal right that would arise there.

Mrs. Kelly Block: Thank you very much.

Perhaps this is my last question, as I don't know how much time I have left.

You did touch upon facsimiles of ballots. Would facsimiles of ballots in indigenous languages provided in voting booths be an alternative that would also be in the spirit of UNDRIP as it is currently set out?

Prof. Dwight Newman: Looking at some of the literature on the United States, they use the term “sample ballots”, which are somewhat the same idea as a facsimile ballot that I think Elections Canada talks about.

Insofar as that removes a barrier, it could be an effective way of removing a barrier and meeting the legal concerns that would arise there, as well as some of the policy concerns.

Obviously there is a different symbolic connotation to that, and the committee would need to weigh that, and those engaged with this issue need to weigh that over time.

But there are challenges with changing the ballots themselves in terms of accessibility for others. A crowded ballot raises issues for access by persons with certain disabilities, so there are complex choices to be made, is what I would say. If there can be effective ways of surmounting barriers while avoiding problems, that's probably always good policy.

Mrs. Kelly Block: Thank you.

This is my final question. Are you aware of any other jurisdictions that are either addressing this issue after adopting UNDRIP or looking at including indigenous languages on their ballots?

• (1125)

Prof. Dwight Newman: I'm not aware, at the present time, of others that have made specific moves on this issue after UNDRIP. There may be some of which I'm unaware.

As I mentioned, the United States, even since 1975, has made some efforts around this issue, although in the State of Alaska there had to be litigation around this. There were complexities confronted, partly because of issues of multiple dialects of languages and how those would be used in different parts of a constituency or whether all of those would somehow appear. There were some challenging questions. The United States has made these efforts for decades.

I'm not an expert on the American context. It would be worthwhile drawing significantly upon some of that experience and finding out more about it.

Mrs. Kelly Block: Thank you very much.

The Chair: Thank you for that exchange.

We will now go to Mr. Turnbull for six minutes.

Mr. Ryan Turnbull (Whitby, Lib.): Thanks, Madam Chair.

Thanks to all of our witnesses for being here today. I'm really finding this discussion rich. I know we're just beginning today's discussion, but we've been building, meeting over meeting, a really good, in-depth analysis of this important issue. Certainly, our last meeting revealed testimony that was really impactful for me. All of the meetings, I would say, have done that.

Maybe I'll start with Mr. Newman. I'm interested in picking up on the theme of UNDRIP. As you said, UNDRIP received royal assent in the Parliament of Canada in June 2021. I note that we often say that UNDRIP now has to be implemented, but I'm wondering about this. From your perspective, Professor Newman—I know you've spoken to this already in some of your opening remarks—are there any other articles within UNDRIP that obligate the government to respond to this very important issue of indigenous languages being included on ballots? I note you've already mentioned article 13.2. I have that in front of me here. I find that really relevant. I also have looked at articles 1, 9 and 15, and I wonder if you have any comments on any of the other articles within the United Nations Declaration on the Rights of Indigenous Peoples.

I'll throw it to you first. Thanks.

Prof. Dwight Newman: Thank you. I'm just pulling up my copy of UNDRIP, if we're getting into further articles of it.

I'll say, first of all, with respect to the commitment on what's sometimes called "implementation", Canada has passed a particular statute that has two key obligations in it. One concerns an action plan to pursue the objectives of the declaration. The other part is a commitment to seek the consistency of Canada's laws with the provisions of the declaration. Those are two key commitments.

In respect of other articles of UNDRIP, they may shed light on the broader objectives of it. Certainly, article 1 is with respect to general provisions of international human rights law. If your suggestion is that this gives rise to an obligation in respect of indigenous languages in voting, it would be in the context of that obligation potentially arising with respect to other language communities as well. Article 9 concerns rights to belong to an indigenous community or nation and wouldn't bear directly on federal election processes, in my view. Article 15, concerning general provisions on the cultural rights and dignity of indigenous peoples, again sheds light on the objectives of the declaration, as all the articles should be read together. Again, it wouldn't bear as specifically on something like a federal election process.

Article 13.2 is the one that is, in my view, closest to the issue. Although, as I've suggested, in some ways the reading gives rise to limited consequences in specific terms, even while the broader objectives of indigenous participation in decision-making would call for good policy that promotes indigenous languages in this context.

• (1130)

Mr. Ryan Turnbull: Thank you for that detailed response. I do appreciate it. Perhaps we can go deeper into that discussion.

I do also want to pick up on a theme that Ms. Block brought up, which was also something you mentioned, Mr. Newman, in your opening remarks about other jurisdictions. Specifically, in regard to the United States, you said that Canada seems to be a little behind compared with them.

I'm interested in whether there are any other jurisdictions around the world that we can use or learn from in terms of a model for this, such as whether they've used a phased approach to this.

Certainly, we've heard contrasting views that for Elections Canada there are significant operational challenges. I think some of those probably need to be overcome. I think we're in a position here to give some direction. I'm interested to note how maybe other jurisdictions have overcome some of the challenges and how they've done so over years or decades.

I would go to Mr. Newman first and then ask the other panellists if they'd like to weigh in.

Thanks.

Prof. Dwight Newman: The other panellists may have more to add on some of the other jurisdictions.

The most natural comparators for Canada on indigenous issues would be jurisdictions like the United States, Australia and New Zealand, in terms of some shared political practices combined with the nature of the colonial experience, the proportions of the population, and so on.

I understand that Elections Canada is in some discussions with the Australian context. They would be better prepared to shed light on that.

I looked mainly at some of the scholarship on the United States, a country that has been much more active than Canada in some respects on this issue. Someone going back to the history of 1975 could look into how it was that they managed to make the adjustment so quickly versus what one hears about the challenges Elections Canada thinks it would face.

Others may have more to add on other jurisdictions.

Mr. Ryan Turnbull: I'd be happy to hear from the other panelists if they have any remarks.

I know that my time limit is up, Madam Chair, so I'll leave it at that, and maybe others can weigh in.

The Chair: Maybe I can allow a quick 30 seconds to the other two panellists.

Dr. Jean-François Daoust: Unfortunately, I am not knowledgeable enough beyond the Canadian case and the U.K., but I assume that New Zealand and Australia, as mentioned, would be the cases to consider.

Dr. Allison Harell: May I also intervene, Madam Chair?

The Chair: Yes.

Dr. Allison Harell: I won't add anything additional to what Mr. Newman brought up, except to say that during the COVID pandemic, the jurisdictions at provincial and federal levels experimented rather quickly with a number of alternative voting options. One other additional option to explore was the use of special ballots. I think we learned a lot over the last 18 months about the ways in which those can be used effectively to help voters have access who won't be able to vote on election day.

The Chair: Thank you for that addition.

[Translation]

Ms. Gaudreau, the floor is yours for six minutes.

Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ): Madam Chair, I have an aside before asking my questions. I would like to wish you publicly a happy birthday, which was yesterday.

Once again, I'd like to thank our guests.

I was particularly impressed by Professor Daoust's remarks. I would like to come back to what he said about principles and values.

Initially, we talked several times about the technical aspect, and several solutions have been proposed. What can we do, now, to promote inclusion? I see that everyone has good intentions, but we should not amend the legislation just to look good or so the amendment is symbolic only. I am sure that my colleague will agree with me on that.

I would like Professor Daoust to explain a bit about what we might expect, if we enacted this bill in time for the next election. What will the subsequent impact of this inclusion on the truth and reconciliation process be?

• (1135)

Dr. Jean-François Daoust: Thank you for your question.

Yes, I think it's important. However, we seem to be assuming that symbols are minor and of no great consequence, as if something symbolic has no substance. As Ms. Harell said, symbols sometimes have effects that influence other attitudes, including political attitudes.

It was suggested that trust in the federal government, for example, may encourage electoral participation. Measures like these have the direct effect of reducing the cost of participation and making the vote more accessible and easier, and may have a very limited direct impact in themselves. But if measures like these affect other considerations, for example the fact that indigenous people may have more trust in the government, and spills over onto other attitudes like that one, including interest in politics, it might have a bit more more substantial impact.

I don't think we could expect a major impact, for the reasons I gave in my opening statement. Even in the indigenous samples, the people think it's easy to go out and vote. The main objective of this measure is to facilitate the act of going and voting. Since it is already easy to do that, the impact may certainly be limited. It is mainly symbolic, but it can have indirect effects that are more important than the direct effects.

Ms. Marie-Hélène Gaudreau: Madam Chair, I don't know whether our witness had the opportunity to hear the earlier testimony.

I wonder about that too, for one thing. We are going to look at the figures, to find out how much all this might cost. There are good intentions and the gesture is a noble one. So all indigenous communities will be respected in doing all this. At least, that is what we hope.

In the earlier testimony, we wondered what we can do in advance to generate interest among people in participating in democracy. As has been said, we have a colonial past. We have to name it, accept it and act.

Could Professor Harell tell us more about this?

Dr. Allison Harell: Thank you for giving me the opportunity to speak at greater length.

In my opinion, we shouldn't say that the indigenous people don't participate in democratic life. What we observe is that they don't participate in political life this way. A number of processes have been put in place in the communities and they have their own political activities.

I think we should rather ask how we can generate interest in participating in this type of democratic process, within the Canadian state. I think the indirect effects that Jean-François Daoust talked about are important, because this is an indication that these processes concern them too and that we want to include them.

The situation of different indigenous communities in different parts of Canada is very different, and the reasons that may stand in the way of voting are going to vary a lot between those different indigenous communities. You may hear that in Nunavut, the language issue is very important. There may be other issues that are significant elsewhere.

I would agree with those that have been raised. I would agree with Professor Harell's comment earlier that, in certain specific places, there are indigenous nations that don't regard the Canadian state as legitimate; thus, they don't participate in election processes. That's a different factor in its own category in a sense, but general issues around just having the policies that reach out to indigenous communities....

I hope that all parties will continue to develop policies that support the futures of indigenous people in Canada and the economic opportunities that they need. I think voter interest will be enhanced when indigenous people see all parties coming forward with good policies that advance their opportunities in life.

Mr. Warren Steinley: Thank you very much, Mr. Newman.

The trust factor, I think, falls on all of us who are politicians around this table to reach out and make sure that we build that trust with different groups across the country. That's something I heard loud and clear from both of you as well.

I am very interested in the U.S. 1975 amendments that happened in a few jurisdictions around language assistance. Is that something we could look at doing? Not to reinvent the wheel, but is there proof that this language assistance program since 1975 in certain jurisdictions has improved voter turnout among native Americans in America? Not to reinvent the wheel, but is there any documentation that this language assistance program has benefited voter turnout?

Was it Dr. Newman who made that comment? Is there any proof that it helps out, and could we replicate something like that program?

Prof. Dwight Newman: I haven't looked at the empirical literature on the results of that across the United States. There, hopefully, would be scholars who have, and it would be worth looking for their scholarship on the effects of that. There have been various equivalents to ridings designated based on over 5% of the population with indigenous languages and other languages: Asian-American languages, Latino-American languages, etc.

It would be worth looking at that data and what the effects have been for various language communities.

Mr. Warren Steinley: Thank you very much. That's my time.

The Chair: Thank you.

Ms. Sahota, the next five minutes go to you.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Madam Chair.

Through you to the witnesses, I'd like to first ask Professor Harell if she could comment on some of the questions that were raised in Professor Newman's opening remarks. There were a lot of questions. I feel there were more questions raised than answers as

to how this committee should recommend going about moving in this direction.

Should we or should we not present these ballots in places where there are already territorial elections happening in this way? Do we go beyond that or do we provide proportional cut-offs, or "thresholds" as some may call them, depending on the population? If there's more than one language that is predominantly used, how many languages do we put on the ballot? Are syllabics used, or should syllabics also be introduced?

I was wondering if Ms. Harell can comment a bit and help us understand what we should be recommending to Elections Canada. There's a lot of will to try to move in this direction and do better. You mentioned in your opening remarks that we should be doing whatever indigenous communities would like us to do.

That's to Professor Harell.

• (1155)

Dr. Allison Harell: Thank you for that.

I would start by saying, to reiterate a point that Professor Newman made, that consulting with the communities that are concerned seems to be of the utmost importance to find out what they think are feasible solutions to be able to get languages on the ballot.

That being said, the operational challenges are important, and I think I said that in my opening remarks. One of the things that is important to think about in doing that is.... I wouldn't suggest taking baby steps, but a pilot project, going with something that seems operationally feasible, at least in the short term, makes a lot of sense at my end. I'll tell you why: Going all in and having it be a disaster is worse than doing it step by step in a process to build on capacity for doing this.

A failed experiment could have larger consequences for people's trust in the system than a sort of step-by-step process of getting these in place in a way that's feasible and makes it not a problem when an elector shows up at a voting booth to vote.

Ms. Ruby Sahota: What, in your opinion, would be the best way to consult with indigenous communities on this? Does the witness feel that this committee should be doing that work and consulting communities, or does the professor think that some type of in-house council within Elections Canada, an outside advisory group or something of that sort should be undertaken?

Dr. Allison Harell: Professor Newman may have some things to add to this, but I think building capacity within Elections Canada makes a lot of sense and to have that.... In every step of the way, consultation is probably a good thing, but building in-house capacity within Elections Canada to explore the options with people who are reaching out to the communities makes a lot of sense to me.

Ms. Ruby Sahota: Do any of the other panellists have anything to add?

Prof. Dwight Newman: I would say all of the above are valuable. There may be limits to how many of them can be done, but any engagement by the committee, by other designated individuals on behalf of the committee or by Elections Canada developing its capacity would be valuable.

Ms. Ruby Sahota: How much more time do I have, Madam Chair?

The Chair: You have one minute, but I think Dr. Daoust would also like to add something.

Ms. Ruby Sahota: Please go ahead.

Dr. Jean-François Daoust: I fully agree. The first part was about when, and I would say probably as soon as possible. Otherwise, I fully agree with what has been said.

Ms. Ruby Sahota: Madam Chair, in the previous committee meeting, Ms. Idlout also mentioned that, rather than looking at thresholds of population or language use, we should be doing this from a different perspective of maybe where languages are dying out. I'm wondering if any of the panellists have comments to make about that.

The Chair: We'll do a quick round robin. Perhaps we can start with Professor Newman, followed by Dr. Harell and then Dr. Daoust, which will bring us to time.

Professor Newman.

Prof. Dwight Newman: It depends very much on what the objectives are. If the objectives are to enhance electoral participation or opportunities for electoral participation, it makes the most sense to work with situations where languages are in active use and, in fact, in use in place of English and French.

Where languages are dying out, there are very important policy objectives to undertake to support the survival and revitalization of indigenous languages. I'm not sure election ballots would be the first policy step that is most fruitful on those matters. I can understand the sentiment, but in my view, it's far more important to invest in other supports for those languages in terms of survival and revitalization.

Dr. Allison Harell: I concur with Professor Newman.

Dr. Jean-François Daoust: I fully agree.

The Chair: It is absolutely excellent to see a little bit of consensus forming among the witnesses.

Thank you for that great exchange.

• (1200)

[Translation]

Ms. Gaudreau, you have two and a half minutes.

Ms. Marie-Hélène Gaudreau: Thank you, Madam Chair.

When we talk about investments, I recall the saying that you have to walk the talk. We are going to have to take action and not just limit ourselves to saying that something needs to be done. The bill we are studying seems to me to represent an opening toward more inclusion.

Some witnesses this week told us that ballots in the Northwest Territories or Nunavut showed a photograph of each candidate.

Our witnesses today may not have an answer, but why is it, in our legislation, that we don't have photographs for federal elections? What do our witnesses think of that idea, given the diversity of dialects, the extent of the copying that would result, and everything else?

Dr. Jean-François Daoust: I think that would open the door to a number of unfortunate consequences. We know that people sometimes use heuristic indicia and shortcuts when they vote, in particular in some less important elections, like municipal votes.

The mere alphabetical order of the candidates can already have consequences at the municipal and national levels. The presence of images or photographs of the candidates could certainly open the door to unfortunate consequences.

That is not a firm and final opinion, but it is what comes to my mind when I'm asked the question.

Ms. Marie-Hélène Gaudreau: Thank you.

Ms. Harell, do you have anything to add?

Dr. Allison Harell: I think we have to look for creative solutions.

If the photographs seem to offer multilingual information, I think we should consider that option, just as we use the parties' images and logos. We can imagine all sorts of possible markings that would not call for translation into five or six languages on a single ballot.

I think Mr. Daoust's considerations are appropriate. It might raise questions in terms of the quality of the information, but I think that type of solution must be on the table when we think about voting.

Ms. Marie-Hélène Gaudreau: I think I have a bit of time left.

Mr. Newman, you can have the floor.

Prof. Dwight Newman: I agree with the other speakers that we have to look for creative solutions.

However, even if a solution looks creative, we also have to consider the unforeseeable effects and the other problems that might arise, as Professor Daoust said.

Ms. Marie-Hélène Gaudreau: Thank you, Mr. Newman. Your French is excellent, I would note in passing.

The Chair: I think the same thing. It is very good.

Thank you for this discussion.

Ms. Idlout, the floor is now yours for two and a half minutes.

[English]

Ms. Lori Idlout: Thank you, Madam Chairperson.

I have spoken with the interpreter and informed her that I'll be asking all of my following questions in English. At your discretion, I will be asking a series. I have seven questions that I would like to ask Professor Newman.

You have already answered my first question, which was, are you bilingual? I've now heard that you are.

My next question is how often do you vote in federal elections?

Prof. Dwight Newman: I vote in each federal election that takes place—unless I've missed one along the way. I can't say that for sure. But generally speaking, I have attempted to.

Ms. Lori Idlout: Thank you.

Has there ever been any procedural reason that you were not able to vote?

Prof. Dwight Newman: I've faced issues with location at times, when I was travelling or was located overseas at the time of some elections. That's why I say I'm not certain I voted in every one that I was eligible to vote in.

I welcome Elections Canada's taking steps on those issues of accessibility when people are away from their riding.

Ms. Lori Idlout: During those times when you have had to, was the information provided to you in all languages that you understand?

• (1205)

Prof. Dwight Newman: It was. Indeed, that would be something to highlight with regard to the concerns that could arise, not necessarily with regard to the information on the ballot but to the availability of information in other contexts.

I, of course, benefit from being in locations where I can easily access the Internet. I know very well that in Nunavut there are concerns about Internet access in some communities at times—or at least around bandwidth speed. That's an issue in some other parts of the country as well.

Elections Canada needs to try to make information available in all pertinent ways.

Ms. Lori Idlout: Thank you so much.

Do you feel that your language rights are adequately protected?

Prof. Dwight Newman: As an English-speaking person, I don't have any difficulty with language rights of my own.

Ms. Lori Idlout: Do you think that indigenous people deserve the same language rights protections that English- and French-speaking Canadians receive?

Prof. Dwight Newman: I think there, indeed, should be protections for indigenous language rights. Whether they would be identical to English and French in a country where these are the two official languages and are used by much larger numbers of people presents some issues, especially considering the large number of indigenous languages. But the protection of indigenous languages raises very important rights issues and should receive a great deal of attention, especially given the cultural significance to indigenous peoples of their languages.

Ms. Lori Idlout: Thank you.

What obligations does the Indigenous Languages Act give to the Government of Canada?

Prof. Dwight Newman: It's been awhile since I've been looking at all of the parts of it, so I wouldn't be placed to set out all of the obligations from that act today.

Ms. Lori Idlout: My last question is this: As a form of reconciliation, is it not time that we turn empathy into action?

Prof. Dwight Newman: I would totally agree that we need action urgently on various issues concerning indigenous peoples in Canada. Empathy goes only so far. There needs to be real action on a lot of different issues, and that needs to be in consultation and co-operation with indigenous peoples across the country, who are in a

variety of different circumstances on different issues. It's a straightforward point to say that we need action on various indigenous issues in thoughtful ways that work well for everybody and that are responsive to all indigenous rights, obviously.

The Chair: I thank you both for that exchange.

I will just state that I am a chair who tries to have comments go through the chair because it's challenging for interpreters to translate otherwise.

As we have these conversations on language.... I know you had two and a half minutes. We provided you with four minutes and 22 seconds because it's important that we have these exchanges. In future, I would just be mindful of our guests who join us to provide us with information. We're not in a traditional courtroom.

I would like to thank our witnesses for your thoughtful comments. If there is anything else you would like our committee to consider, please do not hesitate to provide it in writing to us.

I really want to say that it was quite informative. I hope you keep well and safe. I hope the sun shines more often in April than not—and we look forward to continuing this important work, all of us together.

With that, we'll be switching over to the second panel. We'll take a 30-second pause so we can test the mikes.

Thank you.

• (1205)

(Pause)

• (1212)

The Chair: I would like to welcome committee members back to the second panel for today. We're continuing our study of indigenous languages on ballots.

I would like to welcome to our committee Marjolaine Tshernish, general manager of Institut Tshakapesh; and Denis Gros-Louis, director general, First Nations Education Council.

We will start with opening comments of up to five minutes.

We will start with Ms. Tshernish.

Welcome.

[Translation]

Ms. Marjolaine Tshernish (General Manager, Institut Tshakapesh): [Witness spoke in Innu-aimun as follows:]

Kuei! Kuei!

Tshipushukatitunau kassinu etashiek.

[Witness provided the following translation:]

I greet everyone present.

[Translation]

Thank you for your invitation, which confirms the great importance of dialogue before implementing major projects to benefit the greatest number of people, including First Nations members.

I am Innu from the community of Uashat mak Mani-utenam on Quebec's North Shore. I am the Executive Director of Institut Tshakapesh, I am the general manager of the Institut Tshakapesh, an organization that has been working for what will soon be 45 years with our nation to preserve and promote Innu-aimun, our mother tongue.

In this context, it appears to us that First Nations and Inuit members would have the opportunity to fully exercise their rights as citizens, with access to documentation, including ballots, in their own language. They must also be greeted and served in their language.

A meaningful way to give First Nations the right to be heard is to recognize them as a nation and to recognize their language, culture and identity. It is now time to go beyond simple tokenism and officially take concrete action by seeing them as having an important political role to play. Participating in the development of a legislative framework, in this case including indigenous languages on federal election ballots, is a step forward.

Many of our members do not see themselves in Canada's current democratic process. They feel excluded and therefore powerless. So, to express their resistance, they abstain from voting in federal or provincial elections or refuse to participate in the Statistics Canada census. All of this has enormous consequences for our communities, especially in terms of socioeconomic conditions, to name just one.

Indigenous peoples have greatly contributed to Canada's development over the millennia and continue to do so.

I will end this section by saying that I have only scratched the surface.

Now I will discuss the importance of being able to use one's own language.

One of the permanent and fundamental characteristics of an individual's development is their identity. The most significant pillars of this identity are the ability to speak one's own language and familiarity with one's own culture. Using our own language helps us form a vision of the world and our sense of belonging to a nation and, most importantly, defines who we are and where we come from. Indigenous peoples have formed a close relationship with and have great respect for nature, including all living things. This is our way of life. To us, respect is a fundamental value that must be mutual.

According to the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services, residential schools have had a long list of enormous intergenerational impacts. I trust that you are sufficiently aware of the consequences of these impacts on the threatened disappearance of Indigenous languages and the profound changes that this has had for our communities. Of course, we cannot make everything black and white, but the many consequences suffered by First Nations are less than stellar.

Cohesion in a democracy requires all Nations to be included. According to 2011 data, there were 1,400,685 First Nations and Inuit

members and their numbers have been growing since then. This demographic weight represents hope for the future of young people, provided that they feel welcome in the democracy.

Accessibility with respect to various government structures is possible if everyone is taken into account. The government of Canada has at its disposal all the reports of the Royal Commission on Indigenous Peoples and the Hawthorn-Tremblay Commission, to name but two, to establish or reestablish genuine, healthy and respectful relationships.

First Nations have the right to participate in the development of Canadian society, to access the same benefits enjoyed by all Canadian citizens. All the recommendations and concrete solutions are outlined in these studies. It takes political will to create a fair and just society for all.

Thank you for listening.

• (1215)

The Chair: Thank you for your comments.

We will now go to you, Mr. Gros-Louis. Welcome.

[*English*]

Mr. Denis Gros-Louis (Director General, First Nations Education Council): Thank you, Madam Chair.

I'll express myself in French.

I will need seven minutes, if you'll allow me.

[*Translation*]

Kwe, hello.

[*Witness spoke in Wendat.*]

[*Translation*]

My name is Denis Gros-Louis. In my language, that means "men who works for freedom".

[*Witness spoke in Wendat.*]

[*Translation*]

I am taking part in the meeting today from the unceded territory of my nation, Wendat Land, near Quebec City.

My name is Denis Gros-Louis and I am the Director General of the First Nations Education Council. I would like to reassure Ms. Idlout, the member for Nunavut, and tell her I am bilingual: I speak French and English. I would also like to thank the member for La Prairie, Mr. Therrien, for inviting me today, and all of you. We are meeting to discuss a very important subject.

The First Nations Education Council is an association made up of eight of the 11 nations of Quebec for the purposes of education: Abenaki, Algonquin, Atikamekw, Wendat, Pekuakamiulnuatsh, the Wolastoqiyik First Nation, Micmac and Kanien'keha:ka.

The Assembly of First Nations Quebec-Labrador has delegated the task of testifying before you today to the FNEC, my organization. I also have the approval of the Chiefs Committee on Education to present issues that are specific to Quebec. Our organization also has the mandate of accommodating and supporting the coordinator of the regional committee on ancestral languages here in Quebec.

I hope the information and recommendations I will be providing you with will be useful in your study to allow the translation of ballots in federal elections into indigenous languages. This study is a good first step that would mean respecting our languages, and I see it as a gesture toward reconciliation.

In Quebec, we have 11 indigenous languages, some of which have their own dialects. Their vitality varies, depending on the community: some are in a state of dormancy, while others are spoken regularly and are the language used in schools. Some elders in our communities are unilingual: they speak only their own language. When they leave their community, they become foreigners in their own country.

Our languages are the vehicle for expressing our vision of the world. They are the thread that connects the past and the future. In other words, they are the cornerstone of our identity. But the link between identity and First Nations turnout in federal elections is much more complex, as my colleague, Ms. Tshernish, explained.

To give you a quick picture, but one that is realistic and honest, I also have to point out that views are polarized in the nations and communities that belong to the FNEC regarding the issue of First Nations voting. Some nations are participating in this exercise, but others categorically refuse to do so.

Recent Statistics Canada data show that the reason most often cited by indigenous people for not voting is political. We absolutely do not feel like stakeholders in federal matters. This refusal is based on reasons that sometimes go back to the very existence of the Canadian Confederation and, of course, its Indian Act, which has not always had a positive effect on our nations.

Whether because the First Nations are affirming their sovereignty or because they do not feel respected or involved in the issues, there are numerous reasons why voters from these nations are disengaged.

Overall, the identity question is central to the thinking you are doing to have a positive effect on First Nations turnout. What do you have to do for us to get out and vote? An Elections Canada study of changes in First Nations turnout shows that the communities in Quebec have the lowest turnout in federal elections: approximately 27.8 per cent, while the average turnout in Canada seems to be about 34 per cent.

Who is on the ballot, what are the issues presented, and how are they presented? All of that certainly has a big impact on our communities' interest and participation in the electoral process. In other words, solutions and initiatives will have to go beyond just translating ballots into our languages to show your respect for our languages and cultures. It will all have to be sincerely and concretely aimed toward reconciliation.

• (1220)

Translation of ballots into indigenous languages is a good way of promoting the languages. We teach our languages in our schools, and seeing them reproduced on a ballot obviously represents a good way of seeing the world and encourages us to participate in the electoral process. When language is marginalized, however, it often marginalizes our cultures and the visions of our member communities.

You could also observe certain colonialist positions stated before the courts through the conduct of the government machine and the positions taken before those courts, often to develop programs that do not generate interest in federal politics, because those policies are still harmful in 2022.

Last week, representatives of Elections Canada said in their testimony that translation was an expensive exercise, whether because of the time, the quality control, the planning or some other reason. Well, a simple speech saying it's expensive doesn't encourage our communities to participate in the electoral process. So I would like respect for our languages and reparation of the harm caused to them and to our cultures not to be seen as having a price. As a former public servant in the elections branch of Crown-Indigenous Relations and Northern Affairs Canada, I can tell you that policies intended to increase turnout are a matter of honour and responsibility. Access to a democratic right was restored to us only a few decades ago. That has to be taken into consideration, as well.

I spoke about identity and maintaining languages. Well, in Quebec, we find ourselves facing a unique situation in terms of language. We are witnesses to the colonialist approach of the provincial government in the way it updates the Charter of the French Language. This government's efforts hinder the use and maintenance of our languages, and at worst downgrade them, and flout the modern treaties in force. Some of our members don't understand or don't see government action, whether at the provincial or federal level.

So we have four recommendations. First, to act on the Truth and Reconciliation Commission's call to action No. 57, it is important to offer awareness training to senior management and staff at Elections Canada, focusing on our history, but also on the intercultural skills that officials at Elections Canada should have.

Our second recommendation consists of creating consultation and collaboration connections between Elections Canada and the Office of the Commissioner of Indigenous Languages, which is the guard dog for indigenous languages in Canada.

Third, as was proposed in the Assembly of First Nations report on First Nations voter turnout, and in order to improve turnout in Quebec, you should make sure that information for voters is not just on the ballot, but also in a document that we have worked on with the Atikamekw nation. It goes beyond the vote and is designed to help unilingual speakers to understand the process and how things proceed on voting day. It should be offered to the 10 other indigenous nations in Quebec, of course.

Fourth and finally, it is also important to make sure that the images presented in the booklets reflect our nations' identity.

Thank you.

• (1225)

The Chair: Thank you.

[English]

We are going to start six-minute rounds with Mr. Vis, followed by Ms. O'Connell, Madame Gaudreau and Ms. Idlout.

It's six minutes to you, Mr. Vis.

Mr. Brad Vis (Mission—Matsqui—Fraser Canyon, CPC): Thank you, Madam Chair.

Have the Innu people of northern Quebec signed, or are they in the process of working on, a reconciliation agreement with either the Government of Quebec or the Government of Canada?

[Translation]

Ms. Marjolaine Tshernish: Not to my knowledge, no.

[English]

Mr. Brad Vis: To Mr. Gros-Louis, are any of the nations you are representing today in the process of signing a modern treaty or reconciliation agreement with the Government of Canada or the Government of Quebec?

Mr. Denis Gros-Louis: The eight nations that are represented by our council are involved in reconciling an education agreement framework that hopefully will be forthcoming. Recognizing our language will be part of the education value-added of the agreement.

Mr. Brad Vis: Do any of those nations plan on making a recommendation that would incorporate some of the points you made today regarding Elections Canada and the process of indigenous participation in federal elections, to your knowledge?

Mr. Denis Gros-Louis: To my knowledge, we are going to work on safeguarding, protecting, enhancing and defending the rights of our language, whether at the federal and/or provincial level. What we're interested in is to value all of the efforts we're doing to work with our youth to grow in our education programs with pride. When there are barriers, such as not understanding the ballot or having to support the elders in reading the ballots, what you're proposing in your studies will be of value and a step forward.

With regard to going beyond that in a comprehensive modern treaty, it's beyond my mandate today and it's not at the core of what we prepared for.

Mr. Brad Vis: Thank you, and I understand.

At the education council, of the youth you represent, how many can fluently speak their indigenous language or how many are in the process of learning that language as part of their core educational requirements today?

• (1230)

[Translation]

Ms. Marjolaine Tshernish: Is the question for Mr. Gros-Louis or me?

Mr. Brad Vis: It is for both of you.

Mr. Denis Gros-Louis: Go ahead, Ms. Tshernish.

Ms. Marjolaine Tshernish: Each nation has its own rate of speakers. There are indicators of the vitality of the language for each community, and they don't apply to the entire nation.

The Innu nation has nine communities in Quebec and two in Labrador. I would say that in some communities that are remote from the major centres, the rates of language retention may vary between 70 and 90 per cent. That is an approximate picture of the situation for the Innu nation.

What is important to know is that a language can disappear completely in two or three generations, which is not very long.

[English]

Mr. Denis Gros-Louis: From the First Nations Education Council's point of view, of the eight nations we represent, six still have fluent speakers in our schools. We do have immersion up to grade 2 for the majority of our schools. Of the two nations that have lost their language, in one of them we're starting to see, in our elementary schools and when the kids play outside, that some of them are now starting to speak in Wendat amongst themselves. That means the ongoing revitalization process and the investments made by our teachers, by the Canadian Heritage language program and by our own decision to safeguard our languages are working out.

Mr. Brad Vis: That's very helpful.

[Translation]

Ms. Tshernish, have the Innu of northern Quebec asked the provincial government to produce ballots in indigenous languages in provincial elections?

Ms. Marjolaine Tshernish: We haven't made that specific request to the government. What is interesting is that you are the ones taking these initiatives.

Our organization and the band councils work at the local level to promote the use of the language in the community. To preserve a language, it has to be spoken by the community and be transmitted by the parents. If we want to reinforce the use of our language, it is very important to keep up this community work.

We have an important job to do internally. We would like the provincial and municipal governments to be able to help us promote and enhance our languages.

[English]

The Chair: Thank you for that exchange.

Just because we are going a little bit longer, I would not be surprised if we only have one round of questioning, so I was generous there. I will do the same with Ms. O'Connell.

We go over to you for six minutes.

Ms. Jennifer O'Connell (Pickering—Uxbridge, Lib.): Thank you, Madam Chair.

All my questions are through you. The first is actually to both witnesses.

Mr. Gros-Louis, you spoke about the 11 languages in Quebec and the different dialects. We also heard witnesses from I believe the Northwest Territories, which also had, I think, 11 various indigenous languages.

In the Northwest Territories, we heard that they were able to provide, in provincial or municipal elections as one example, the language of that particular community or riding, as we would know it, or voter district. But from an Elections Canada perspective, that nimbleness of ballot printing by riding and language translation, I think we can see there are some challenges with the time lines.

To Ms. Tshernish, you also mentioned that all nations must be respected. I wrote that down because if we are able to move forward and there are multiple indigenous languages with multiple dialects, some using syllabics and some of it being translated, how do we best respect all nations and languages given the number of languages to make sure they're reflected in the communities—which I think both of you have talked about—and ensure that residents of those communities are actually using them.

How can we best respect those language rights, or how do we best choose which languages are most commonly used in various parts of the country?

That's a big, long question there, but I'll leave it open to both of you who have some advice and guidance for us.

• (1235)

[Translation]

Ms. Marjolaine Tshernish: I am going to speak in the Innu-aimun language. We have standardized the writing of the Innu-aimun language in order to develop the corpus. The Innu language consists of three dialects.

The Cree language is standardized. However, if we find a Roman alphabet letter that we also respect, we write it.

For constituencies on the North Shore, ballots are not written in all three dialects; they are only in one. However, it might happen that some words can be written in three dialects.

Another idea would be to write certain words on the voter information card that you send to the communities. It might be titles or subtitles only. It might also be words of welcome placed in the locations where people go to vote. When you do advertising, you could include certain First Nations languages.

[English]

Mr. Denis Gros-Louis: If it's the intent of Parliament to provide guidance to Elections Canada to do that, Ms. O'Connell, I would

add that, first and foremost, Elections Canada doesn't have the expertise nor the capacity to do that.

It's a simple fact of reaching out to our communities. They will tell you who wants to have it done in their language. We'll do the translation. As I said, the Atikamekw nation was one member of the First Nations Education Council that has done it.

The process to go through the day and to be prepared and interested in the elections is already done. You know that eventually there will be an election, so therefore you can start working on it right away. You don't need to wait for that. Being proactive is a gesture of reconciliation.

In the previous panel there was a question about pictures. We do work with pictures. A lot of our languages are visual and cannot be translated because of all the stories that are behind them. It would create a sense of respect to have more visuals in the guidelines and preparation. As you see, we have a lot of pictures within the Atikamekw communities that have been used. Therefore, that can be started right away. You don't need to wait for the calling of the election and the writ to drop to do that.

In September 2018 in the Canadian Journal of Political Science, there were three researchers, Dabin, Daoust and Papillon. I guess Daoust was a previous speaker. They said clearly that, "Higher voter turnout in Indigenous communities corresponds with a higher proportion of Indigenous candidates."

We saw what happened in Kenora in the last election. Three fly-in communities didn't get their ballots on time. There was a first nation candidate who could have had a shot at being voted in.

It's stuff like that, as I said, and being proactive. We'll do the translation for you, no problem. That would be an engagement.

• (1240)

Ms. Jennifer O'Connell: Thank you.

I'm sorry, it's really hard; I don't mean to cut you off.

Madam Chair, how much time do I have? Can I pass it to my colleague Ms. Romanado?

The Chair: Yes, you can, really quickly.

[Translation]

Mrs. Sherry Romanado (Longueuil—Charles-LeMoyne, Lib.): Thank you, Madam Chair.

I want to thank both witnesses for their remarks.

Mr. Gros-Louis, you showed us a document earlier. Would it be possible to send it to the clerk so he can distribute it to the committee members?

I have asked the witnesses several times whether the Commissioner of Canada Elections had communicated directly with the partners to ascertain whether already translated documents could be used. I'm thinking, in particular, of a poster that read "Vote Here", but in the local language. It would seem that this is not the case.

Thank you very much for your testimony and for saying you are prepared to work with anyone for accessibility to be possible for all indigenous electors.

Thank you very much.

Mr. Denis Gros-Louis: Ms. Romanado, the document I have here is an Elections Canada document. It was translated in collaboration with the Atikamekw nation. So I will be pleased to send a government document, an Elections Canada document in this case, to the clerk.

Some hon. members: Ha, ha!

The Chair: Thank you for that exchange.

Ms. Gaudreau, you have six minutes.

Ms. Marie-Hélène Gaudreau: Thank you, Madam Chair.

Good morning to our witnesses. I am really very happy to have your hear this morning.

We have just witnessed one of the noteworthy moments in our meetings. We saw that a lot of tools were already available. During our meetings, we have learned that there were already 16 documents translated into different languages. I hope this meeting will lead you to believe that we want to build, establish and continue the dialogue with you. This is particularly true of the Bloc Québécois.

In fact, in the riding of Laurentides—Labelle, there are three First Nations communities: the Atikamekw, the Algonquin and the Mohawk. A cultural centre is going to be created that will enable Caucasians to better understand and know about the various indigenous cultures.

I heard you talk about the first step. We have met with Mr. Gray-Lehoux and Mr. Vollant of the First Nations of Quebec-Labrador Youth Network. I think you know them. They told us that there was training and accompaniment for having an experience. But I would like to know whether that first step will be really decisive, since, from what they said, a lot has to be invested for each community to be able to reappropriate its language and culture, or preserve them.

I would like to hear from our two witnesses on that subject.

Mr. Gros-Louis, you have the floor.

Mr. Denis Gros-Louis: Thank you.

In fact, the work of negotiating a regional education agreement between the federal government and the 22 member communities of the First Nations Education Council virtually ended 20 minutes before this meeting started.

I hope I am not revealing a scoop, but progress was made thanks to an important gesture of reconciliation: the fact that in the approach to education, we are catching up, to enable the communities to have the same tools as in the Quebec provincial system.

One of the pillars of the First Nations Education Council's approach is to incorporate the very important component concerning languages and cultures in our schools, in addition to the provincial curriculum. We absolutely insist that our youth...

• (1245)

Ms. Marie-Hélène Gaudreau: Mr. Gros-Louis, forgive me for interrupting you. We have just opened a big door concerning what is happening in Quebec, but I absolutely have to ask you another question that has more to do with the federal government.

Ms. Tshernish, you have the floor.

Ms. Marjolaine Tshernish: Is this a question concerning language or is it a broader question that also has to do with inclusion?

Ms. Marie-Hélène Gaudreau: That's right, my question has to do with inclusion. Does it necessarily involve ballots? According to the First Nations of Quebec-Labrador Youth Network, there really has to be money paid and help provided directly in the communities.

Ms. Marjolaine Tshernish: There have to be increasing numbers of small gestures so that it becomes obvious that we are included. The most important thing is really inclusion.

We also have to be consulted and respected. There has to be respect for what we are, and especially for how we do things, for our know-how. Our approach is different in relation to work and our values, in particular. You can see this everywhere. Our way of thinking is also different and it is important that we be respected.

As well, the word "decolonization" is important. We really have to undertake a major process of thinking about what we were before signing on to your institutions, your ways of doing things and your type of administration. Before that, we operated differently.

Ms. Marie-Hélène Gaudreau: Ms. Tshernish, you opened a door for me.

I would like to get your opinion about the respect, openness and understanding shown by the federal government.

I would like to ask the witnesses to tell us, in 45 seconds, what they think of the Indian Act. I would like them to tell us, being perfectly frank, what their opinion is on that subject.

I would start with Ms. Tshernish.

Ms. Marjolaine Tshernish: My personal point of view on the Indian Act is not limited to the Act. It concerns everything that flows from it, like the system of band councils.

It also concerns the relationship with the federal government, which imposes a way of operating on us, of appointing our representatives, of managing our programs and our services. For us, accountability is backwards.

The way we see the exercise of power is different. Normally, the entire population is involved.

We feel that a way of operating is really being imposed on us that doesn't look like us.

I'm afraid that we will end up losing our identity and our collective memory.

The Chair: Thank you.

I'm sorry.

Mr. Gros-Louis, you have the floor for a few moments.

Mr. Denis Gros-Louis: Public servants have a number of tools available to work on reconciliation, to rebuild trust, and, most importantly, to enable the communities to develop, in spite of what the Act requires. Sticking to the framework of the Act takes too long. Today, we want fast, concrete actions.

The Indigenous Languages Act and Bill BILL C-92, An Act respecting First Nations, Inuit and Métis children, youth and families, made it possible for the communities to get their languages back, to reappropriate them and to preserve them.

I won't talk about the Indian Act today, because we don't have enough time. But I could come back.

Each of the tools available has to be used. We have to reverse the trends.

What can Canada do to enable the communities to get out of the framework imposed by the Act? It has to get involved with the languages, work with us to produce translations and manuals. That is how trust will be rebuilt. The Act doesn't create an atmosphere of trust, but the people who administer it have a responsibility and a duty to maintain that trust with us.

- (1250)

The Chair: Thank you very much.

The review of the Indian Act is not really the mandate of our committee. We have allowed this conversation to keep going, because it is relevant to the discussion.

Ms. Idlout, you have the floor for six minutes.

[English]

Ms. Lori Idlout: [*Member spoke in Inuktitut as follows:*]

[illegible]

[Inuktitut text interpreted as follows:]

Thank you, Madam Chair.

First of all, I want to thank the witnesses for appearing, and I ask them, through the chair, to respond.

The first question I have is this. Have the depths of the impacts of colonialism affected voter turnout?

I'd like both of you to respond to my question.

[*Translation*]

Ms. Marjolaine Tshernish: I was waiting for Mr. Gros-Louis to speak.

Mr. Denis Gros-Louis: I can't hear the interpretation. So I'm going to ask for a translated copy of the member's question. I could answer it in writing.

[English]

Nakurmiik for asking your questions of us.

The Chair: This is part of our learning and working.

[*Translation*]

Ms. Tshernish, I'll give you a moment to answer.

[English]

In English, we were able to get the translation from Inuktitut, but we did not receive it in French. I want to note that for the record.

Mr. Gros-Louis, we'll make sure you get that information so we can get answers.

We'll go over to you, Ms. Tshernish.

[*Translation*]

Ms. Marjolaine Tshernish: I think I can give you part of the answer.

After Confederation, we had to wait 84 years for registered Indians and other indigenous groups in Canada to get the vote.

Today, the First Nations peoples don't just vote, they are also engaged in local, territorial, provincial and federal politics.

Of course, having been excluded for a number of years meant that we were able to implement our own local policies and have our own way of administering our affairs.

Having been faced with exclusion probably meant that we didn't feel involved in the entire process. We were not included in the decisions, we were not included in developing the policies. Obviously, that had an impact on turnout.

That's my interpretation of the question.

[English]

Ms. Lori Idlout: [*Member spoke in Inuktitut as follows:*]

[illegible]

[Inuktitut text interpreted as follows:]

Thank you for your response. I would like to hear a response from both of you to my next question and the importance of—

[*Translation*]

The Acting Chair (Hon. Bardish Chagger): Excuse me, Ms. Idlout. Mr. Gros-Louis, are you hearing the interpretation?

[*English*]

Are we all good with that agenda? Perfect. Thank you.

I hope everyone keeps well and safe. Happy April. We'll see you at the end of this month. Take care.

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