

International Conference on Language Rights - Friday 24th 2013 in Dublin
Presentation by the Languages Commissioner of Nunavut, Ms. Sandra Inutiq

Introduction

Dia is Muire dhaoibh', tá sé mar onóir a bheith anseo. Before I begin, I want to especially thank the organizers of the *International Conference on Language Rights*. It is a great pleasure to be here today.

In this presentation, I will briefly describe Nunavut, followed by an historical summary of language rights in Nunavut. I will then describe my roles and responsibilities as the Languages Commissioner for Nunavut and conclude points of interest and observations so far on language rights in Nunavut.

Presentation of Nunavut

Nunavut is a vast territory of over 2 million square Km's, with a population of 33,000 according to 2011 census. Nunavut has a very young age, median age being at 24.8 compared to Canada's 39.9 this is an important factor in the language situation. There are 26 communities the smallest being Grise Fiord (population of 130), largest being Iqaluit, the capital (population of 6,700). There are no roads connecting the residents from different communities, most goods and people must be flown in by air travel and much of the cargo and supplies are brought in by ships annually.

So what is the language situation? First, I would like to state that we are relying on 2006 census because the 2011 one was not reliable for us for several reasons which I will not get into now. The federal government by policy has extracted much of its quality research methods which makes it difficult for regions such as ours to get the full language picture. So, the 2006 census... 85% of the population of Nunavut is Inuit. 71% of the total population claimed the Inuit language as their mother tongue in the 2006 census, 8% being unilingual Inuit language speakers. 1,205 claimed they can speak French, 435 of which stated it was their mother tongue,

40 of them unilingual French speaking. Most young people are currently able to use both the Inuit and English or the French and English languages. Few people can speak both French and Inuktut. The use of English is increasing at the expense of the Inuit language and French.

In terms of the political make up. The territory was part of a land claim deal by Inuit, and was created on April 1st, 1999. Unlike Provinces which have constitutionally based legislative powers, territorial legislative powers are delegated by the federal government through an act. Nunavut's legislature, with its 19 members operates by a system of consensus, meaning there are no political parties.

One of the legislative powers includes the ability to create laws in relation to languages, as long as it does not take away from the language rights of English and French. So there are three official languages of Nunavut: Inuit language, French and English. English being the predominant language of the government, most industries and the increasing language at home which makes two languages in vulnerable situations: Inuit language and French.

Historical summary of language rights in Nunavut

A brief description of the history...

Federal Bilingualism of French and English has been part of the Canadian dialogue since the creation of the country in 1867. I will not go into this history extensively but rather will focus on events that have led to where Nunavut is today.

One of the biggest drivers of creating Nunavut was language and cultural rights. The idea of Nunavut was part of the drive for self-determination by Inuit. In the late 1960's during the civil rights era a group of Inuit formed Inuit Tapirisat of Canada (ITC) to lobby for collective rights. In 1976, a land claim proposal was submitted to the federal government by ITC. It included language rights in government, and employment equity for Inuit. Inuit obviously wanted self-

determination in all spheres, political, social, administration and economical, language playing an integral part.

In *1982 Constitution Act of Canada* was entrenched, it included language rights for French and English (sections 16-23) and section 35 containing some provisions for Aboriginal Rights, which do not explicitly speak to language rights but are stated in the preamble of Nunavut's language acts being a basis for language rights for Inuit.

After the *Constitution Act* was created, the federal government was going to unilaterally amend the legislative powers of the Northwest Territories (before Nunavut), entrenching official bilingualism of English and French. The two territories of NWT and Yukon strongly objected to this unilateral action insisting that Aboriginal languages be recognized as official languages of the territories.

Both levels of governments NWT and the federal government eventually conceded to a territorial *Official Languages Act* that included Aboriginal languages, modeled on the Constitution requirements for English and French. Most importantly it included "official status" for a number of Aboriginal languages. Aboriginal languages were recognized then but still did not enjoy equal status as English and French.

As part of this delicate political compromise, both parties signed an *Accord*, with Canada committing to pay all costs relating to the implementation of French as an Official Language in the Territory, and supporting the Territory to provide its services in French. There was also a commitment from Canada to provide adequate funding to the Territories to preserve, promote and improve services in Aboriginal languages.

When the Nunavut Territory was created in 1999, the NWT act on official languages was transferred over. The preamble of this grandfathered *Official Languages Act* states it is established to ensure equality between French and English, and Aboriginal languages will be

The Minister of language is responsible to promote and bring awareness on history, status and importance of diversity. Also as significantly, to coordinate the effective implementation by territorial institutions and municipalities of language acts.

Roles and Responsibilities

The powers and duties of the Languages Commissioner are listed in the *Official Languages Act* and the *Inuit Language Protection Act*, it is my responsibility in an ombudsman like role to investigate and review any possible breach of the language legislation by territorial institutions, municipalities and, soon, the private sector organizations. Languages Commissioner can bring an application to court to remedy any violation of the language acts. I am also responsible for public education on language rights, and advising language stakeholders to help achieve compliance. And at last, I monitor and examine the progress of territorial institutions, municipalities and private sector organization in meeting their obligations under the Nunavut's language legislation. Our work is published in our annual report.

Points of Interest and Observations

To conclude, I will state points of interest and observations so far of the new language acts. You will note that in our language acts the word "complaint" is not used, and is replaced by the word "concern". This is to make the acts more culturally relevant, as complaining is discouraged socially. In the acts there is much focus on mediation and informal resolutions to also make it more culturally in line with Nunavut. The new acts have also included an ability for the Languages Commissioner to initiate an investigation on their own, and the ability to combine cases. We have started our first systemic investigation as a result of these provisions and would like to share some lessons learned so far.

The observations we have made so far in how the language acts can be improved are: that the early childhood education provisions need to be strengthened to ensure children in a childcare facility are attaining the language, specific rights are held to ensure this; that statistics gathered need to be thorough and comprehensive to capture the language situation of all

