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**Indigenous Languages:  
Preservation and Revitalization: Articles 13, 14 and 16 of the  
United Nations Declaration on the Rights of Indigenous Peoples  
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## **Inuit language in Nunavut**

*“I am proud that Inuit in Nunavut now have a clear statement of their inherent right to the use of the Inuit language in full equality with English and French”*

*James Arreak, Minister of Languages, April 2<sup>nd</sup> 2013<sup>1</sup>*

### **Introduction**

Language legislation to recognize, protect and revitalize the Inuit language<sup>2</sup> in Nunavut has been touted as being ground breaking and unprecedented for an Aboriginal language in Canada.

Certainly, the driver for the land claim agreement in Nunavut was to protect cultural and linguistic rights by Inuit. It is clear from the 1976<sup>3</sup> proposal for Nunavut, that Inuit envisioned working in their own language, thus language being central to how they governed themselves. It was not surprising then, that once the territory was created one of the first orders of business within two years of the creation of the territory was to establish a committee to start looking at creating new language legislation, even though the new government was busy with creation and start up business.

The language acts are certainly ambitious. The implementation and success of the objectives and the goal of protecting and revitalizing the Inuit language face serious obstacles. Nunavut faces many competing social challenges and as a new territory is still economically underdeveloped, resources to implement revitalization efforts being the biggest challenge. In the 2015-16 budget address<sup>4</sup> the Government of Nunavut stated Federal transfers (\$1,535.3 M) will make up about 84% of total GN revenues. The territory alone should not bear the cost to reverse language loss. The federal government has a direct responsibility to redress the Inuit language situation in Nunavut because of their role in assimilation policies of the past. Through the enactment of the

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<sup>1</sup> Government of Nunavut, News Release: *Nunavut Official Languages Act is now in Force*, April 2, 2013

<sup>2</sup> Inuit language is often referred to as Inuktitut. However, the term Inuktitut does not capture the Inuinnaqtun dialect of western most communities of Nunavut. The term commonly used to capture all dialects in Nunavut is Inuktitut or the Inuit language. For simplicity I will use the term Inuit language throughout this paper.

<sup>3</sup> Inuit Tapirisat of Canada in 1976 submitted a formal comprehensive land claims proposal to the federal government.

<sup>4</sup> Government of Nunavut, Budget 2015-2016, [http://www.gov.nu.ca/sites/default/files/2015-16\\_budget\\_address\\_en.pdf](http://www.gov.nu.ca/sites/default/files/2015-16_budget_address_en.pdf)

*Official Languages Act*<sup>5</sup> and the *Inuit Languages Protection Act*<sup>6</sup> Nunavut has stated how they want their official languages protected and revitalized.

The challenge to the language situation seems twofold: The first is our internalized colonialism and the belief our language is inferior and not worth saving. This is evident in policy directions Nunavut takes on issues related to language, such as education. The sense of urgency of needing to act in Nunavut seems minimal. With the young population the language loss can accelerate rapidly. Territorial government has been very slow in acting on its implementation commitments. For example it took four years from 2009 to 2013 to make the new *Official Languages Act* come into effect. The recent *Education Act* review also seems to indicate hesitation to make a firm stance on making Inuit language a priority.

Secondly, the issue of the national stance and policy on Aboriginal languages is a major challenge, the continuing commission by omission or doing minimal to recognize Aboriginal languages. As the Truth and Reconciliation Commission<sup>7</sup> recently recommended, and previously recommended in the Royal Commission on Aboriginal Peoples<sup>8</sup>, Canada must actively start revitalizing Aboriginal languages.

The ambiguity in our Constitution on whether “aboriginal rights” include language rights is often treated as an empty basket, rather than a full one. Constitution act of 1982<sup>9</sup> under section 35 states “Existing Aboriginal & Treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed”. This is broad and has no closed list. It is interesting to note that in the *Inuit Language Protection Act*<sup>10</sup>, the preamble states that on legal authority of equality rights and Aboriginal rights in the Constitution the act enjoys a quasi-constitutional status in law. As a nation the ambiguity makes it difficult to assert for language rights.

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<sup>5</sup> Official Languages Act, 2008, S.Nu 2008, c.10

<sup>6</sup> Inuit Language Protection Act, 2008, S.Nu. 2008, c.17

<sup>7</sup> Final Report of the Truth and Reconciliation Commission of Canada, McGill-Queen’s University Press, 2015. See recommendations 13-17, 62-65

<sup>8</sup> Report of the Royal Commission on Aboriginal Peoples, [Ottawa] The Commission, 1996. See Volume 3, chapter 6

<sup>9</sup> *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.

<sup>10</sup> *Ibid* 5

Even amidst these challenges there is growing efforts to protect the language, mostly from the grassroots level, with the support of grants and contributions provided by our territorial government, along with other funding sources. Some of these activities are building momentum; the hope is that there could be enough critical mass to make it sustainable, and actually start reversing language loss.

## **Nunavut**

In 1993 Inuit of Nunavut after 20 year long negotiation ratified the Nunavut Land Claim Agreement<sup>11</sup>. This agreement not only settled the comprehensive land claim but also enabled the establishment of the new territory of Nunavut. A separate political accord establishes the actual Territory of Nunavut as a public government, where Inuit are a majority. It was seen by the negotiators as representing a unique form of aboriginal self-government.

Nunavut is a vast territory of 2 million square kilometres<sup>12</sup>, with communities that are quite dispersed. This makes program and policy issues challenging, on the one hand, but the smaller population can also be an advantage because of the close-knit ‘community’ of the territory. Nunavut has a population of 37,026<sup>13</sup> with a very young population, with a median age of 24.8, compared to Canada’s 39.9<sup>14</sup>. This is an important factor to consider when discussing the state and future of the Inuit language. Considerable focus and efforts need to be made to protect and revitalize the language for the children and youth. Early childhood, Kindergarten to grade 12 education, media targeting children importance factor is revitalizing and protecting the Inuit language.

Approximately 84% of the population is Inuit<sup>15</sup>, 71% of the population’s mother tongue is the Inuit language<sup>16</sup>. Inuit language has several dialects, and two orthographies: roman orthography

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<sup>11</sup> Nunavut Land Claim Agreement, S.C. 1993, c.29

<sup>12</sup> Statistics Canada: Focus on Geography series, 2011 census.

<sup>13</sup> Nunavut Bureau of Statistics: Nunavut population, October 2015

<sup>14</sup> *Ibid*

<sup>15</sup> Statistics Canada, 2011 census

<sup>16</sup> Statistics Canada, 2006 census (note that 2011 census were voluntary, and had limited language data based on ethnicity)



government. The ability to legislate on language falls under section 23.1 of the *Nunavut Act*<sup>20</sup> (subsection *n*) and states:

n) the preservation, use and promotion of the Inuktitut language, to the extent that the laws do not diminish the legal status of, or any rights in respect of, the English and French languages;

This provision in the *Nunavut Act* dates back to the 1980's. In 1982 Constitution Act of Canada<sup>21</sup> was entrenched under the liberal government of Pierre-Elliott Trudeau, it included language rights for French and English (sections 16-23), and section 35 contained some provisions for Aboriginal rights.

In 1984 after a court case in Yukon on a motor vehicle ordinance arguing French language rights<sup>22</sup>, the federal government took unilateral action to attempt to impose English and French as official languages of the two Territories. This created a political reaction from both Yukon and Northwest Territories Governments, demanding the recognition of Aboriginal languages and arguing the unilateral decision was undemocratic. Government of the Northwest Territories began to work on an act that met more their desires. This was the start of recognition of language rights for Aboriginal languages. It also explains why the territories lost the ability to determine language rights within their respective territories independently.

As part of the political compromise between the NWT and the federal governments, the parties signed an accord, Canada committing to pay costs incurred by the implementation of English and French as an Official Language in the territory, and supporting the territory to provide its services in a minority language, namely French. As part of the compromise the NWT would enact *Official Languages Act* that included Aboriginal languages, modeled on the Constitution requirements for English and French. Notably, it included "official status" for a number of Aboriginal languages. Aboriginal languages were recognized, but still did not enjoy equal status with English and French. As part of the funding arrangement, there was also a commitment by

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<sup>20</sup> Nunavut Act, S.C. 1993, c.28

<sup>21</sup> Ibid, 8

<sup>22</sup> TERRITORIAL COURT OF THE YUKON. 30 June 1983. *R. v. St. Jean*. Unreported

Canada to provide adequate funding to the territories to “preserve, promote and improve services” in the recognized Aboriginal languages.

It is important to note though, the official language service funding from the federal government that was part of the 1984 political accord continues to be in place. However, the amounts have changed very little since 2001 and have not factored in Nunavut’s clear direction on language policy including the desire to take measures to revitalize the Inuit language. The funding is primarily for Government services. The per capita funding for French language Government of Nunavut receives \$4,000 per person, whereas for the Inuit language \$40 a person<sup>23</sup>. This is in a system that is set up and functions in English. The effect is that it creates a hierarchy of languages where English is first, French is second and Inuit language is last. The symbolic effect is not lost on Nunavut.

The Nunavut Territory was created on April 1<sup>st</sup> 1999, all the legislation including the NWT act on official languages was grandfathered and adopted in Nunavut. The preamble of this adopted *Official Languages Act*<sup>24</sup> states that it is established to ensure equality between French and English, and Aboriginal languages will be given “recognition”. It was clear to Nunavut legislatures that work needed to be done to create legislation on language that was more reflective of the desires of Nunavut.

On February, 2001 the Nunavut Legislative Assembly struck a Special Committee to review the provisions of the existing legislation, its implementation and its effectiveness<sup>25</sup>.

It took until 2008 for the two language acts to go through the Nunavut legislative assembly. One of which needed parliamentary concurrence, the OLA needed to go through federal parliament to

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<sup>23</sup> 2014–2015 Canada-Nunavut General Agreement on the Promotion of French and Inuit Languages, where \$1.625 million was allocated to be spent on the French language, while \$1.1 million was to be spent on the Inuit language. It is important to note the French language speakers are a very small with a population of 435 in Nunavut (Statistics Canada, 2012A).

<sup>24</sup> Official Languages Act, R..N.W.T. 1998, C.O-1

<sup>25</sup> Legislative Assembly of Nunavut, News Release: Legislative Assembly appoints Special Committee to Review the *Official Languages Act*, February 26, 2001

ensure it did not diminish the legal status of English and French languages, as stipulated in the *Nunavut Act*. It finally received Parliamentary concurrence June 11th, 2009.

There are two language acts: *Official Languages Act* (OLA), which recognizes equal status (or potential for in some cases) of the official languages of Inuit language, English and French whereas the *Inuit Language Protection Act* (ILPA), which list how Inuit language is to be protected and revitalized.

At the same time as the language acts, the *Education Act*<sup>26</sup> was enacted in 2008. The main objective was to create a bilingual education for all students in Kindergarten to grade 12 by 2019-2020. The aim was to increase the availability of the bilingual education each year. The department developed a plan to guide its implementation of this goal. However, the Auditor General of Canada found in a report in 2014<sup>27</sup> that the department was far from achieving this goal. One of the findings was that only one in five schools audited met the bilingual education requirements. A huge factor was the lack of bilingual teachers. Also, more work was required in development of teaching resources in the Inuit language, and training for teachers and assistance in differentiated instruction.

Between the Education Act, and the two language acts that work together Nunavut had a clear direction on language.

The ILPA mandates the territorial government to take specific measures to safeguard the Inuit language. The act provides for Inuit language: educational rights, right to work in territorial institutions, municipal services, private sector services and other active measures to either protect or revitalize the language such as providing for and support of media in the Inuit language. The act also creates Inuit Uqausinginnik Taiguusiliuqtiit, an Inuit language authority that are mandated to establish terminology, resources, proficiency standards and tests, as well as to deal with the orthography question. The act basically envisions that the Inuit language will be a part of all spheres of life in Nunavut, if a person works in their language, and hears it in the community they are more apt to speak it at home to their children.

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<sup>26</sup> Education Act, S.Nu, 2008, c.15

<sup>27</sup> Education in Nunavut—Report of the Auditor General of Canada to the Legislative Assembly of Nunavut—2013, see: [http://www.oag-bvg.gc.ca/internet/English/osn\\_20140401\\_e\\_39210.html](http://www.oag-bvg.gc.ca/internet/English/osn_20140401_e_39210.html)



The OLA sets out communication and service obligations by territorial institutions (Territorial Government, boards and agencies) in all three official languages of Inuit language, English and French.

Under both acts there is a Minister responsible for implementing obligations and also they set out the mandate of the Office of the Languages Commissioner. The Minister responsible for languages, is to promote the efficient and effective implementation of compliance with the act. The Minister is to coordinate, monitor, manage, and evaluate language obligations, policies, programs and services by the territorial public sector. The Uqausivut plan is the implementation plan of the Minister of languages. In terms of Government of Nunavut funding for 2014/15, \$1.6 million was spent on community initiatives to support Inuit language programming.

The Languages Commissioner is an independent officer of the legislative assembly. The role is like an ombudsman, receiving (but can also initiate investigations) on claims of violation of language rights, make findings, and provide recommendations to correct the situation. The Languages Commissioner also has a lobbying role to try to advance language rights.

### **Language Revitalization and Protection**

Education reform has been a major challenge in Nunavut. It may require ‘decolonization’ efforts to create a total reform and to make it a major priority in practice. In other areas, Nunavut has many great language initiatives, some that have been long running and others that are still in the conception phase and getting ready to be implemented. On a broader scale, the Minister of languages has had three years to implement his Uqausivut language plan, one of the initiatives worth highlighting is that the Ministers have been working with the region most impacted by language loss, Qitirmiut (Kitikmeot), to create a language plan, so that they can create a clear plan and buy in from the communities to start actively start to regain their language. Also in the same region, Nunavut Arctic College is now offering language revitalization certificate program with partnership with University of Victoria.

Other partnerships the Minister has made include: the Nunavut Arctic College, which also has created the centre of excellence for the learning Inuit language. All career programs are now

required to take Inuktitut courses. Department of Education has been working to increase literacy in the Inuit language, they have worked with Inhabit media to create the guided reading framework in Inuktitut and plan to develop for the Inuinnaqtun dialect.

Some of the grassroots projects are amazing, and continue to inspire. Some of the examples include:

- Pirurvik has been dedicated to providing Inuit language, culture and well-being programs, including teaching adults the Inuit language. Recently, a two week immersion program has been started by Pirurvik to try and increase proficiency and confidence to speak in the Inuit language. They have also partnered with the University of Prince Edward Island to provide a PhD program in the Inuit language. They have created Windows and Office Inuktitut interface, Tusaalanga an online audio language lessons, language learning books, and many other great resources.
- There is also a private publishing company called Inhabit media that publish bilingual books, focusing on Inuit language, culture created by Inuit. Much of their work is to ensure the content is from Inuit for Inuit including myths, legends and history. Their work was started by two teachers that recognized the lack of teaching resources.
- TV Nunavut has been lobbying and making some headway in creating a television channel only in the Inuit language.
- Inuit Broadcasting Corporation continues to provide Inuit content on television and films. We have a comedic television show called Qanurli targeting young Inuit that started with IBC and have gone independently due to their success.
- Piksuk media have made films, they teamed up with Ilisaqsivik to version into Inuktitut a cartoon called Wapos Bay originally made in Cree.
- Ilisaqsivik is also doing a pilot project in the next couple of months as part of a plan to create a full immersion program where an Inuit language speaking family adopts a young Inuk to teach them to learn the language. The plan is to include land and hunting component, so that it is culturally centered.
- Nunavut has a very developed film industry, Kingulliit (formerly Isuma) having received International attention with films like Atanarjuat. There are many great film makers that continue produce amazing films in Nunavut in the Inuit language.

- Recently Government of Nunavut has targeted funding for Inuit language music, last year 11 albums were released with many young talented artists, along with well-known established artists. Pinnguaq has also created video games and apps aimed at children and young people.
- Some of the upcoming events to watch out for are: GN Inuit language incentive policy program, where an employment bilingual bonus program will be replaced by an incentive pay, which is pay amount as part of employee benefits that depend on level of proficiency – higher the proficiency, higher the benefit; education act review, we are awaiting next steps on the goal of bilingual education; our office’s systemic investigation on Qikiqtani Regional Hospital, which looked at language rights and systemic issues of delivering primary health care. There are also developments in Inuit employment and training, after a court case settlement between our land claim organization Nunavut Tunngavik Incorporated and the federal government. Part of the settlement includes funding for language training. Lastly, the efforts to create a standard writing system by our language authority will continue. This is crucial to make it simpler for delivery of education, media, improve literacy overall and many other areas.