

A new paradigm for languages in the North

June 12, 2009 – The Standing Senate Committee on Legal and Constitutional Affairs presented yesterday its report *Language Rights in Canada's North: Nunavut's New Official Languages Act* with recommendations that will help preserve, revitalize and promote Aboriginal languages.

On June 4, 2008, the Nunavut Legislative Assembly passed a new *Official Languages Act* for that territory. The new Act essentially gives the “Inuit Language”, which is defined as Inuktitut for most of Nunavut, and as Inuinnaqtun in some of Nunavut’s Western communities, the same status as English and French for the purposes of providing territorial government services.

Given the role of the Senate in terms of safeguarding regional interests and minority rights, including minority language rights, Senators wished to ensure that the rights of linguistic minorities in Nunavut are not detrimentally affected by the coming into force of the new *Official Languages Act*. On June 10th, the Standing Senate Committee on Legal and Constitutional Affairs heard from witnesses from the Government of Nunavut, the Languages Commissioner of Nunavut, the federal Commissioner of Official Languages, the Francophone Association of Nunavut, Nunavut Tunngavik Inc and the Department of Justice Canada. The committee concluded that the Act’s effects would be positive.

In its report, the committee recommends:

RECOMMENDATION 1

The committee recommends that the Senate adopt the following motion, moved by the Honourable Senator Comeau, seconded by the Honourable Senator Adams: “That, in accordance with section 38 of the *Nunavut Act*, chapter 28 of the Statutes of Canada, 1993, the Senate concur in the June 4, 2008 passage of the *Official Languages Act* by the Legislative Assembly of Nunavut.”

RECOMMENDATION 2

That Statistics Canada monitor and report on the composition of Nunavut’s population to identify the use of the five Aboriginal languages that will no longer be considered official languages in Nunavut (Chipewyan, Cree, Dogrib, Gwich’in, and Slavey).

RECOMMENDATION 3

That, upon request by the Government of Nunavut or Nunavut's Commissioner of Official Languages, the Office of the federal Commissioner of Official Languages continue to make its expertise and advice available to assist in the implementation of the Act and its objectives.

RECOMMENDATION 4

That, in light of Parliament's decision to concur in the passage of the *Official Languages Act* by the Legislative Assembly of Nunavut, the Government of Canada make adequate and sustained funding available to the Government of Nunavut for the continued protection and promotion of official languages in the territory, as is consistent with the government's legal obligations.

RECOMMENDATION 5

That, for greater certainty, the concurrence of the Governor General, as the representative of Her Majesty the Queen of Canada, in the passage of the *Official Languages Act* by the Legislative Assembly of Nunavut be sought in order to ensure unquestionably that section 38 of the *Nunavut Act* is complied with in full.

"The committee unanimously supports Nunavut's vision in protecting the Inuit Language to ensure the survival and improvement of the Inuit social, economic and cultural well-being", said Senator Joan Fraser, Chair of the committee.

The Deputy Chair, Senator Pierre Claude Nolin, commented on the testimony heard by the committee "we are impressed to see the level of support expressed by the francophone community in Nunavut for equal Inuit Language rights."

Senator Fraser elaborated:

This program has been developed in that wonderful Inuit tradition of consultation, conciliation, cooperation, compromise and consensus. It was very moving to us, to hear all those who had participated...

No one spoke more eloquently or more movingly about this process than the representative of the francophones in Nunavut, who supports this bill with all the passion I can ask you to imagine. He said: We share the Nunavut dream. We believe in the importance of this legislation, and we trust the Inuit majority of Nunavut to work with us as we go forward. He said, we know there are risks; there are always risks in human endeavour, but we believe in this process, and we want it to move forward.

On June 11 the Senate concluded its review of the matter, adopted Recommendation 1 and formally concurred in the June 4 2008 passage of the Official Languages Act by the Legislative Assembly of Nunavut.

On that occasion Senator Fraser affirmed as follows:

Honourable senators, we believe this bill is important. We believe it is important to adopt this report. I will explain why by quoting from a letter that Thomas Berger wrote as a report to the then Minister of Indian Affairs and Northern Development, the Honourable Jim Prentice, in March 2006. He said:

Inuktitut is the vessel of Inuit culture. The Inuit are determined to retain their language; it is integral to their identity. . . .

Our ideas of human rights, of strength and diversity, of a northern destiny merge in the promise of Nunavut. It is a promise that we must keep.