



INUKTUT AS A HUMAN RIGHT NUNAVUT VISION – BIG AUDACIOUS DREAMS

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I have had great admiration for Louis Tapardjuk for quite some time and it gives me great pleasure to share this space with him to talk about something so crucially important.

As you know, on April 1 of this year, we marked 20 years since the creation of the Territory of Nunavut. Wow!

Such excitement. Inuit were going to make life better for Inuit. Certainly it seemed like things were on the right track and there have been things that have worked well. The Government of Nunavut focussed on ensuring that the government model was decentralized and we know that even today, the majority of decentralized positions are held by Inuit.

The Bathurst Mandate stated,

‘In 2020, Nunavut is a place where:
Inuktitut, in all its forms, is the working language of the Government of Nunavut.’

I have shared this story before so some of you may have already heard it but, personally, as a young impressionable Inuk who had started working at the Government of Nunavut after having spent years in southern Canada getting a couple of university degrees, I remember having moments where I thought, ‘Wow! This is what was envisioned by achieving Nunavut!’ I want to tell you briefly about one of those moments.

At the time I was playing the role of Director of Policy and Planning. One day, I attending a briefing with the Minister. I never said a word, and even if I had been asked to say something I probably would have been very nervous. As I sat there, listening and taking notes, I had a moment of great pride and exciting come over me like a big wave. You see, I was there as an listening to a briefing of a Territorial Minister of the

Government of Nunavut all in Inuktitut because not only was the Minister an Inuktitut speaking minister but the DM and ADM were all Inuktitut speaking employees. The feeling I felt just witnessing and being a part of that space had me feeling like I was floating on clouds. This was why so many Inuit sacrificed their family lives and put so much effort into the creation of Nunavut. For a long time after that experience I would smile and feel excited about how I too was part of the implementation of the vision of Nunavut.

Young Inuit had big audacious dreams. Dreams that seemed unsurmountable. Let's think about that for a moment.

This was a time period where Inuit had just moved from the land to communities, where there were very rapid social changes. Very quickly, Inuit learned a new language, learned a new governance system and used it to their advantage to advocate for a land claims.

They spent many years away from family and traveling, working hard to advocate for the achievement of an agreement.

As Inuit of the Northwest Territories we would often hear of what Nunavut would mean and how it would be better for Inuit.

Imagine the excitement to be a 15-year-old girl in Igloolik in April 1990 to have a federal minister arrive with the TFN President to sign an AIP because Nunavut would soon be realized. The excitement was palpable!

At the time, the TFN President Quassa included in his remarks,

‘We assert the right to use Inuktitut in all facets of life in Nunavut. Along with English and French, Inuktitut should be recognized by the Government of Canada as an official language in Nunavut. We insist, too, that our children have the constitutional right to be educated in Inuktitut.’

Work diligently continued and resulted in the final agreement which was signed on July 9, 1993 – 25 years ago.

Now there was to be a flurry of activity to ensure things were in place for when Nunavut became a territory on April 1, 1999.

Inuit envisioned that once Nunavut was created that they would get better services and programs, not only in their language, a language that they understood and preferred but that these services and programs would better reflect Inuit ways of understanding and being. As we all know, the Nunavut Territory is the creature of Article 4 of the Nunavut Agreement. An agreement negotiated by Inuit and the Crown as well as the Nunavut Legislative Assembly and the territorial public government.

LEGAL INSTRUMENTS

Very briefly, Nunavut is made up of 25 communities where the public majority are Inuit – 85% of the population is Inuit and the first language of the public majority is Inuktitut. Nunavut is the only jurisdiction in Canada that has a majority language that is not one of the federally recognized official languages – French or English.

In Canada, our language, Inuktitut is considered to be one of the stronger Indigenous languages. Yet it is declining at 1% per year. At this rate, by 2051 only 4% of us will be speaking Inuktitut at home.

Despite being the public majority language, Inuktitut is not the working language of government nor the language used to provide essential services.

This concerns me. It concerns me that some unilingual Inuktitut speaking Inuit are not receiving equitable public services similar to those of other Canadians.

Historically, we know that Canada funded buildings and personnel to actively strip Indigenous people of their culture including their language through residential school. In my view, Canada should and has the responsibility to fund buildings and personnel to actively rebuild, strengthen and protect Indigenous languages.

This afternoon I want to outline some of the legal instruments that exist currently that clearly identify the case that can be made for Inuit to receive essential public services in Inuktitut.

Declarations

Universal Declaration of Human Rights

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 25

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

I would point out here that human dignity is considered to be the foundation for all human rights.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

In May 2016, the Canadian federal government officially endorsed this declaration which includes provisions to protect the transmission of Indigenous languages. Article 13 states,

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Calls

Truth and Reconciliation Commission Calls To Action

13. We call upon the federal government to acknowledge that Aboriginal rights include *Aboriginal* language rights.
14. We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:
 - i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.
 - ii. Aboriginal language rights are reinforced by the Treaties.
 - iii. The federal government has a responsibility to provide sufficient funds for Aboriginal language revitalization and preservation.
 - iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.
 - v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.

Qikiqtani Truth Commission

18. The Governments of Canada and Nunavut should work together to develop and fund Inuit Language programs that will ensure that all Inuit and Qallunaat in Nunavut have the opportunity to learn the Inuit Language.

Murdered and Missing Indigenous Women and Girls Calls to Justice

2.2 We call upon all governments to recognize Indigenous languages as official languages, with the same status, recognition, and protection provided to French and English. This includes the directives that: i Federal, provincial, and territorial governments must legislate Indigenous languages in the respective territory as official languages. ii All governments must make funds available to Indigenous Peoples to support the work required to revitalize and restore Indigenous cultures and languages.

“Viens Commission” - Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation and progress

CALL FOR ACTION No. 12 Amend the Regulation to authorize professional orders to make an exception to the application of section 35 of the Charter of the French language to extend the exception to all professionals exercising their

professions on a reserve, in a settlement in which an Indigenous community lives or on Category I and Category I-N lands within the meaning of the Act respecting the land regime in the James Bay and New Québec, regardless of where they reside.

CALL FOR ACTION No. 13 Expand the scope of the Regulation to authorize professional orders to make an exception to the application of section 35 of the Charter of the French language to exempt interpreters and translators of Indigenous languages from the French-language knowledge requirements.

CALL FOR ACTION No. 14 Make Indigenous language translation and interpreting services permanently accessible throughout Québec by establishing a centralized database of government-employed interpreters and translators.

CALL FOR ACTION No. 15 Promote and permit bilingual and trilingual signage in establishments that serve large Indigenous populations who speak a language other than French.

CALL FOR ACTION No. 16 Make forms available in Indigenous language translations at government service centres

CALL FOR ACTION No. 17 Ensure that all government correspondence with Indigenous authorities is accompanied by either an English or Indigenous language translation, at the choice of the community or organization in question.

CALL FOR ACTION No. 18 Issue a directive to establishments in the health and social services network ending the prohibition against speaking an Indigenous language in the context of housing, health care and services.

CALL FOR ACTION No. 19 Create and fund permanent positions for liaison officers selected by Indigenous authorities to be accessible in the villages of Nunavik, First Nations communities and Indigenous friendship centres in Québec.

Language Legislation

Nunavut Official Languages Act and the Inuit Language Protection Act

The Government of Nunavut worked hard and in partnership with Inuit organizations to create and pass the Official Languages Act in June 2008 and the Inuit Language Protection Act in September 2008. This recognized and affirmed Inuktitut language rights and it gave Inuit the encouragement that positive movement was being made to bring life to the vision of Nunavut.

An Indigenous Languages Act

On June 21, 2019 Bill C-91 – An Indigenous Languages Act received royal assent. This recognized the linguistic rights of Indigenous peoples of Canada and committed to working on ways in which to support and revitalize Indigenous languages.

CURRENT LANGUAGE LANDSCAPE

One would think that with all these legal instruments in place that a Nunavut Inuk, living in their homeland, where the public majority are not only Inuit but speak Inuktitut, that they would receive essential public services in Inuktitut.

Each government mandate since Nunavut was created (Bathurst Mandate, Pinasuaqtavut, Tamapta, Sivumut Abluqta, Turaaqtavut) has indicated that they are working towards Inuktitut as the working language of the public service at varying degrees.

This is important. A government is in place to serve the public. In Nunavut, the public majority are Inuit and the public majority speaks Inuktitut. It only makes sense that the GN work extremely hard to achieve Inuktitut as the working language so that Inuit receive programs and services in Inuktitut. It is not just because it is a nice thing because language is a part of culture and a part of being nostalgic. In many cases it is a matter of life and death.

In October 2015, the Office of the Languages Commissioner of Nunavut released the, 'Systemic Investigation Report into the Qikiqtani General Hospital's Compliance with the Official Languages Act'. This report clearly demonstrated that providing services in one's mother tongue was not asking for a favour but instead providing basic service needs.

Some of the findings of the systemic investigation included:

- Language barriers have a negative impact on quality of care, patient safety and access to health care services
- Patient-provider communication problems may result in a misdiagnosis and relevant follow-up treatment
- Patient confidentiality rights and informed consent may not be protected

Inuit want to live with dignity and have the human right to do so. Inuit Canadians should not be dying because they are unable to access and receive essential services on an equitable basis with other Canadians. We've heard publicly of instances where family identify the lack of Inuktitut services as a factor to why a loved one has died in the health care system. The inability to provide Inuktitut services has been identified in a coroner's report.

In February 2017, Bernice Clarke in speaking about the death of her mother Annie Kootoo stated that Inuktitut may have been a difference maker for her mother. She had not received health care services in Inuktitut. She was being treated for TB and she died in Ottawa of liver failure.

In March 2017, when Geela Kooneeliusie was asked about her daughter Ileen, who died at the age of 15, what needs to prevent another death like her daughters she responded that the health centres need Inuit staff who speak Inuktitut.

There have been commentary in the news about the need to have Inuktitut-speaking RCMP. In April 2019, we became aware that David Qamaniq and his family is suing the RCMP after the death of their son David Qamaniq in 2017. Language has been identified as a factor.

It concerns me that some unilingual Inuktitut speaking Inuit are not receiving equitable public services similar to those of other Canadians.

LOOKING TO THE FUTURE – AUDACIOUS DREAM ONCE AGAIN

For me, reconciliation includes bringing back dignity to a people. It is quite clear that Inuit have the human right to have their Inuktitut language rights protected, supported, resourced.

Despite the frustrations that we have felt with our federal government and our territorial public government, Inuit must not lose sight of their strength and ability to have big audacious dreams. Similar to the way in which Inuit envisioned the settling of the Nunavut Territory,

I know that, similar to the young Inuit who had a big audacious dream and who, through their efforts and dedication, changed the map of Canada, that we are all part of a movement of big audacious dreams on how we want to see Inuktitut used and thriving in all aspects of our lives.

How are we going to ensure that Inuktitut continues to thrive for generations to come?

Constitutional recognition

Maybe Nunavut Inuit should be seeking constitutional protection for the use of Inuktitut in Nunavut. Similar to the way in which New Brunswick is recognized constitutionally as a bilingual jurisdiction where both French and English are equal. I think an argument could be made that given that Inuktitut is geographically limited to Nunavut where the public majority of this jurisdiction speak it, that there should be serious consideration to change the constitution so that Inuktitut is recognized as equal to French and English within Nunavut. Maybe then, would there be a requirement to sufficiently and equitably resource Inuktitut so that it continues to thrive as an official language of Nunavut.

Modernization of Canada's Official Languages Act

This year marks 50 years since the enactment of Canada's Official Languages Act. Unlike any other jurisdiction in Canada, French and English are both minority languages in Nunavut. This is a unique fact that was certainly not considered in 1969 when Official Languages Act was passed into law. The modernization of the Official Languages Act must capture the current, modern jurisdictional map of Canada and recognize that Inuktitut is the mother tongue, and the language most used by the public majority in Nunavut. This is crucial if the act is to remain relevant and appropriate. Today, the country can remain a world leader by affirming official language status to an Indigenous language in a jurisdiction where it is the public majority language. It is entirely open to the federal government to give statutory official status protection to Inuktitut within Nunavut, without impairing the Constitutional rights pertaining to French and English.

Inuktitut daily assertions

We all can play an important role as individuals in our day to day lives and in our workplaces to strengthen Inuktitut and to ensure that it continues to thrive.

- As Inuit, we can use Inuktitut. Let's stop reverting to speaking English. The more we use Inuktitut, the more services providers will need to provide the service in Inuktitut whether they are government services, private sector services or services from Inuit organizations. The more we demand services in Inuktitut, surely government systems will get the message that we need and expect services in Inuktitut.
- Let's encourage each other to speak and use Inuktitut. Let's create safe and comfortable spaces so that Inuit who are learning feel supported to keep trying. Let's encourage people who are interested in becoming teachers.
- Let us use our Inuktitut names and encourage the use of Inuktitut names.
- Let us use every opportunity to point out that Nunavut is unique from all other jurisdictions across Canada. It is the only jurisdiction where homogenously, Inuit (an Indigenous population) is the majority public. It is the only jurisdiction where the majority public speak a language, homogenously, that is different than the two official languages of Canada – French and English. We all need to repetitively state that we expect Inuktitut to be recognized as an official founding language of Nunavut – and as such, should be resourced accordingly to ensure that services are available in Inuktitut.
- The federal government is currently reviewing their Official Languages Act. The act that recognizes French and English as the official languages of Canada. Let us continue to raise the fact that in Nunavut, Inuktitut needs to be recognized as an official founding language. The federal government has a great opportunity to correct something that has not been adequately addressed.
- I encourage each of you to write to your MLAs consistently about how you would like to see Inuktitut supported and protected across the board.