



**Languages Commissioner
of the Northwest Territories**

Annual Report

2023–2024

**Explore Our Land
Hear Our Many Languages!**

Version française au verso.



If you would like this information in another official language, call us.

English

Si vous voulez ces informations dans une autre langue officielle, contactez-nous.

French

KĪspin ki nitawihṭīn ē nīhīyawihk ōma ācimōwin, tipwāsinān.

Cree

Tłıchq yatı k'ëë. Dı wegodı newq dè gots'o gonede.

Tłıchq

ᑭerihṭ'īs Dēne Sūliné yatı t'a huts'elkēr xa beyáyatı theᑭa ᑭat'e nuwe ts'ēn yóltı.

Chipewyan

Edı gondı dehgáh got'je zhatié k'ëë dat'éh enahddhę nıde naxets'ę edahlı.

South Slavey

K'áhshó got'ıne xədə k'é hederı ᑭedıhṭı'é yerıniwę nıde dúle.

North Slavey

Jii gwandak izhii ginjik vat'atr'ijáhch'uu zhit yınohthan jı', diits'at ginohkhıi.

Gwich'in

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqłuta.

Inuvialuktun

Ċ'bdł ııı'bbΔĊ ʌʌLJΔʌʌĊ Δɔb'ıııĊĊ'bbʌıııı, ɔ'bb'ııı'ɔ' ɔ'bb'ııı'ɔ'.

Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarłutit.

Inuinnaqtun

Official Languages Commissioner of the Northwest Territories (867) 872-3706
Commissaire aux langues des Territoires du Nord-Ouest (867) 872-3706



Languages Commissioner of the Northwest Territories

July 1, 2024

The Honourable Speaker
Legislative Assembly of the Northwest Territories
Legislative Assembly Building
Yellowknife, Northwest Territories

Mr. Speaker,

Pursuant to Section 23 of the *Official Languages Act*, I am pleased to submit to the Legislative Assembly, for consideration, the Annual Report of the Languages Commissioner of the Northwest Territories for the fiscal year 2023-2024.

Sincerely,

Brenda Gauthier
Languages Commissioner of the Northwest Territories

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Duhdá Elígu Nçnç Dene Kede Karíla gha k'áowe ▪ Uqautchitigun Angalatchiyuaq ▪ Commissaire aux langues



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Page 4 *Fort Providence Bridge* P. Leishman
Page 11 *Northern Lights*..... L. Sanderson
Page 18..... *McNalley Cr.* P. Leishman
Page 24..... *Rapids of the Drowned*..... L. Sanderson

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Brenda M. Gauthier
Languages Commissioner of the Northwest Territories

Message from the Languages Commissioner

Greetings,

I am pleased to present the Annual Report for the 2023-2024 fiscal year.

This year's Annual Report will provide an overview of the activities of the Office of the Languages Commissioner during the 2023-2024 fiscal year. In the report you will find highlights of the *Official Languages Act*, along with an overview of the legislation and the Office of the Languages Commissioner. The report also provides an overview of court decisions that may impact the language services in the Northwest Territories.

The Bureau of Statistics released their report in 2022, stating there is a continued decline in the Aboriginal language speakers of the Northwest Territories while both the English and French languages remain strong. This demonstrates that work is required by all to ensure all Official Languages are strengthened.

This will be my final Annual Report as I conclude my term as Languages Commissioner, I want to thank the Legislative Assembly for this privilege. It has been a pleasure to work with the people, organizations and Institutions of the Northwest Territories in a collaborative approach for the preservation of all Official Languages.

Please do not hesitate to contact this Office, if you have any questions or concerns about this Annual Report. Also, do not hesitate to contact this office if you have any concerns, complaints or inquiries regarding the *Official Languages Act*.

Mahsi.

Requirements of the *Official Languages Act*

The Northwest Territories has eleven Official Languages

English
South Slavey
Inuktitut
North Slavey

French
Gwich'in
Inuvialuktun
Tłıchǫ

Chipewyan
Inuinnaqtun
Cree

The Languages Commissioner for the Northwest Territories

The *Official Languages Act* established the position of the Languages Commissioner for the Northwest Territories in 1990. The Languages Commissioner is appointed to the position for a four-year term.

The Languages Commissioner's mandate is to investigate complaints regarding the Official Languages and to promote the Office of the Languages Commissioner.

The Languages Commissioner of the Northwest Territories is an officer of the Legislative Assembly and is independent of the Government of the Northwest Territories.

The *Official Languages Act* requires that the Languages Commissioner prepare and submit to the Legislative Assembly an annual report detailing the activities of the Office of the Languages Commissioner for the Northwest Territories. This report describes the activities carried out between April 1 and March 31, annually.

The Official Languages Act also established:

- The Minister Responsible for Official Languages: The Honourable Minister Caitlin Cleveland is currently the Minister Responsible for Official Languages.
- The Official Languages Board: board members are appointed on the recommendation by Indigenous governments and community organizations.

Overview of the *Official Languages Act*

In 1984, the Legislative Assembly passed the first *Official Languages Act*. Modelled after the Federal *Official Languages Act*. It had two purposes; the Act guaranteed equal status for the English and French languages by members of the public using government programs and services, and the Act officially recognized the Aboriginal languages in use in the Northwest Territories. The Legislative Assembly made major amendments to the Act in 1990, to give greater status to northern Aboriginal languages. Recognizing the official status of Aboriginal languages was intended to preserve and promote Aboriginal cultures through protection of languages.

The 1990 amendments to the Act also created the position of Languages Commissioner of the Northwest Territories. This position is to be appointed by the Legislative Assembly for a term of four years. The Act gave the Languages Commissioner authority to investigate complaints in regard to compliance with the Act, to initiate investigations as appropriate, and engage in activities related to the promotion and protection of Official Languages.

In 2001, the Legislative Assembly appointed a Special Committee on the Review of Official Languages (SCOL). In 2003-2004, the Government of the Northwest Territories (GNWT) considered and responded to the SCOL report. As a result, major amendments were made to the Act. Some of those amendments had a direct and significant impact on the Office of the Languages Commissioner:

- Section 20(1) of the *Official Languages Act* contained a provision giving the Languages Commissioner a broad mandate, including taking steps to ensure the promotion and preservation of Official Languages. This promotional role was removed, and the position of Languages Commissioner was narrowed to that of an “ombudsman type” role. The role of the Languages Commissioner became one of ensuring compliance with the Act through investigating complaints, handling inquiries, and initiating investigations where appropriate.
- The role of promoting and preserving Official Languages was turned over to the newly created position of Minister Responsible for Official Languages. As part of fulfilling this role, the Minister established two Boards - the Official Languages Board and the Aboriginal Languages Revitalization Board. The Official Languages Board reviews the rights and status of Official Languages and their use in the administration and delivery of services by government institutions. The Aboriginal Languages Revitalization Board reviews programs and initiatives dealing with Indigenous languages, and promotes and revitalizes Indigenous languages.

- Before the amendments, the Act referred to eight Official Languages (Chipewyan, Cree, Dogrib, English, French, Gwich'in, Inuktitut, and Slavey). In the definitions section of the Act, "Slavey" was defined to include North Slavey and South Slavey, and "Inuktitut" was defined to include both Inuinnaqtun and Inuvialuktun. With the amendments, the Act now clearly identifies North Slavey, South Slavey, Inuinnaqtun and Inuvialuktun as separate Official Languages. As well, "Dogrib" is referred to by its proper name, Tłı̄chǫ. As such, the Northwest Territories now has eleven distinct Official Languages.

With the 2004 amendments, the Languages Commissioner now needs to be available to handle inquiries, investigate complaints, and initiate investigations of non-compliance with the Act. The Languages Commissioner acts in a truly ombudsman like fashion and maintains distance from the Legislative Assembly and the GNWT. This adds to the independence of the Office.

In 2023, The Department of Education, Culture and Employment put forward Bill 63: *An Act to Amend the Official Languages Act* that made the following changes to the legislation:

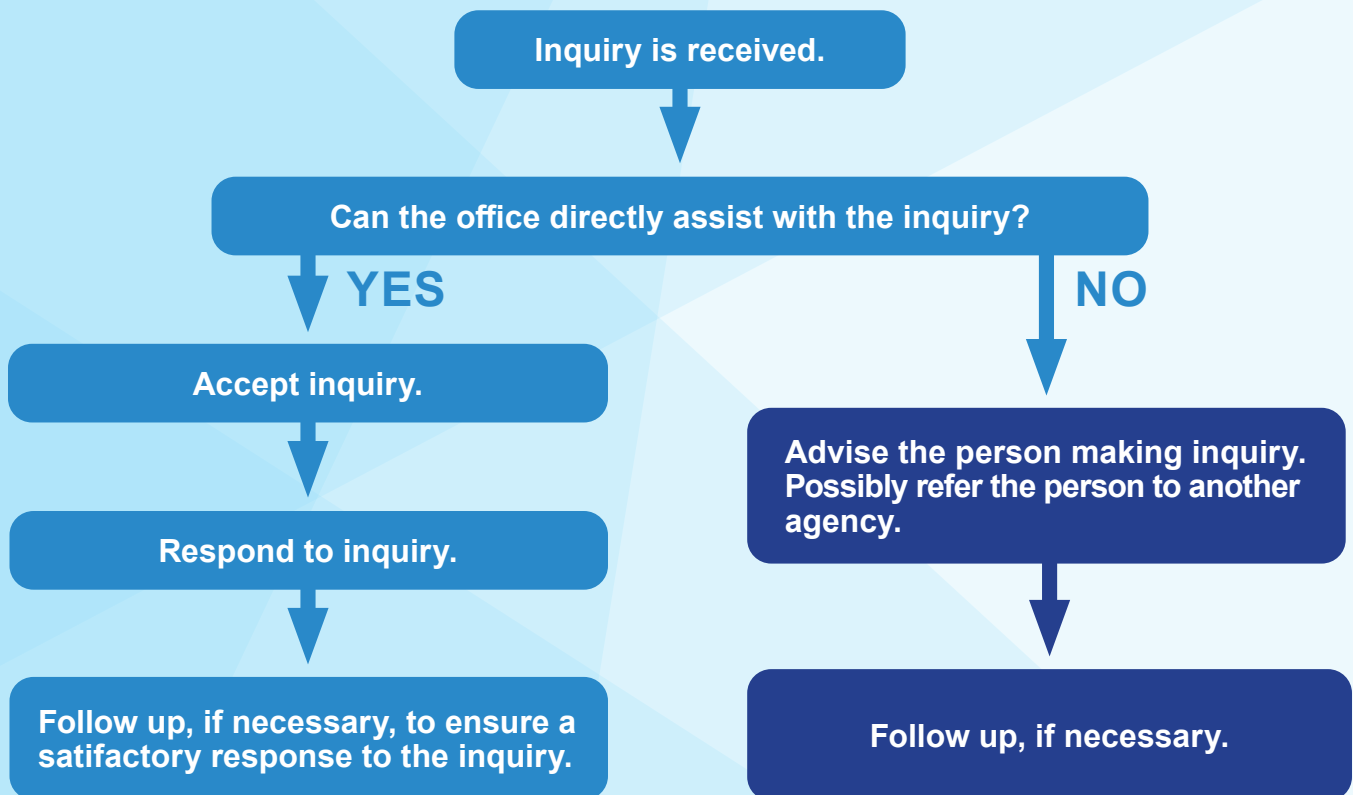
- Substitution changes were made throughout the document, changing the language used throughout the document. Examples of the changes are: Aboriginal was changed to Indigenous; and he/she to they.
- The Languages Commissioner must now be a resident of the Northwest Territories.
- Before the amendment, the only mechanism available was to investigate. The addition of the option to make a referral to Alternative Dispute Resolution is now available with the complainant's consent.
- The Annual Report is required to be filed annually. The amendments now require the report to include: (a) the number of complaints received by the Languages Commissioner; (b) which government institutions were the subject of a complaint; (c) what recommendations, requests and applications were made by the Languages Commissioner respecting each complaint; and (d) a report on the progress made on the recommendations, requests and application referred to in paragraph (c).
- Two Language Boards were merged into the Official Languages Board.

The Standing Committee on Government Operations had completed an official review of the *Official Languages Act* in early 2023, the Government of the Northwest Territories (GNWT) has yet to responded to the report and recommendations at the end of this report period.



Inquiries and Complaints

In exercising the duties of the Languages Commissioner as provided for in the *Official Languages Act*, the Office of the Languages Commissioner has established actionable processes to ensure the recognition of the rights, status, and privileges of each Official Language.



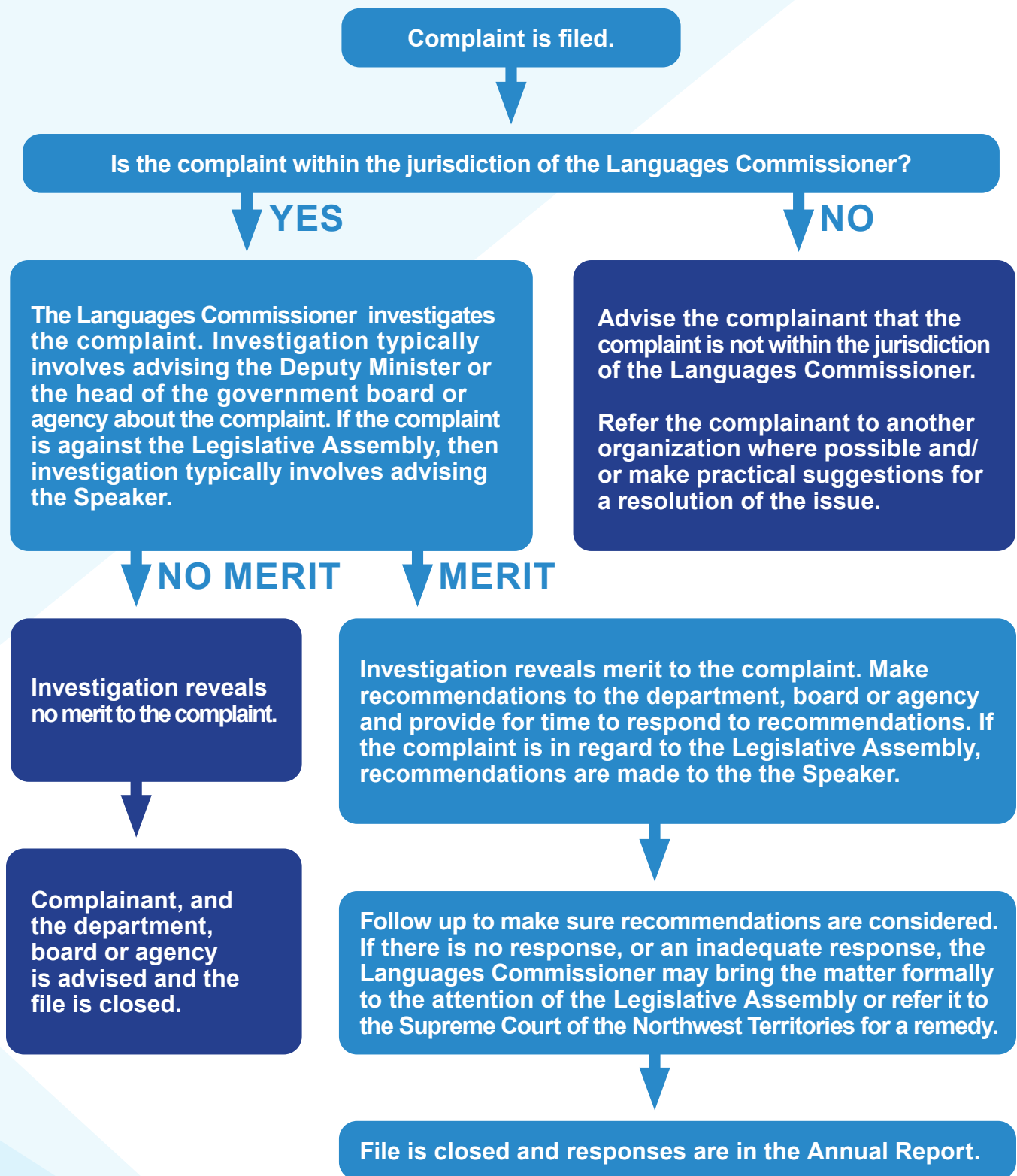
DEFINITIONS

INQUIRY A simple request for information, usually related to the status or use of Official Languages, or about the *Official Languages Act*. It does not include any suggestion that a person feels that she or he has been unfairly treated.

COMPLAINT A complaint involves a situation where a person or group feels that their language rights or privileges have been infringed or denied. They may feel that they have been treated unfairly or have been adversely affected by some policy, program, action or lack of action.

INVESTIGATION An investigation begins when Languages Commissioner decides to investigate a specific situation or larger systemic issue, regardless of whether a complaint has been filed with the office.

The complaint process established for the office is as follows:



Statistics for 2023–2024

Complaints

In the 2023–2024 fiscal year, the Office of the Languages Commissioner received five complaints.

The first complaint was regarding the Office of the Languages Commissioner's website, stating that it did not recognize the Wiliideh Dene Language. The Office of the Languages Commissioner is not subject to investigations, however despite this, the Wiliideh Dene Language is not recognized as an official language. This complaint was not pursued based on both grounds.

The second complaint was an anonymous complaint regarding the signs of the Primary Care Centre in the YK Center East Building in Yellowknife. The Language Commissioner went to the location in question and reviewed the signs. Other than the signs being disorganized, there was no concern as they were presented in English, French, and two indigenous languages. As a result this complaint was not pursued as it did not go against the *Official Languages Act*.

The third complaint was regarding the Wildfire Evacuation and the lack of Interpretation provided at the Press Release. More information was requested but received no reply, this file was closed.

The fourth complaint was regarding the Interior wayfinding signage in the Northwestel Building in Yellowknife. As the Northwestel Building houses both GNWT departments and local business, more information was requested but received no reply, this file was closed.

The Fifth complaint was regarding the Department of Health and Social Services' web page and Metis Health Benefits not being compliant with the *Official Languages Act*. As the complainant did not give a specific area of concern, a letter was sent requesting more information, but no reply was received. This file was closed.

Inquiries

It is important to note that while the number of official complaints and inquiries was small, statistics alone do not account for all of the issues brought forward. For example, through informal discussions, individuals raised issues with respect to language services in various settings, including health care and justice. The issue of sign language provisions continues to be a topic of informal discussions, as do matters related to interpretation and translation.

Informal discussions have brought several issues to the Languages Commissioner's attention. For example, the shortage of trained interpreter/translators continues to be discussed informally, as do concerns about the adequacy and accuracy of interpretation/translations.

The Languages Commissioner communicated with community members throughout the Northwest Territories regarding the lack of Indigenous languages services in government institutions. Despite the valid concerns raised in these informal discussions, formal complaints are difficult to obtain. While local demographics are a part of this issue, the lack of formal complaints is an issue that Language Commissioners are experiencing and working to address globally.

The lack of formal complaints should not devalue the information sharing that has occurred through informal discussions between the public and the Languages Commissioner. This information points to community concerns and can form the basis for future initiatives or investigations from the Office of the Languages Commissioner. Common themes that have been identified through informal discussions include:

- Lack of resources to support the use of the Indigenous languages
- Lack of education available in the Indigenous language of heritage
- Prohibitive or unclear requirements for taking specific language programs
- Lack of formal training for interpreter/translators including interpreter/translators working in specific settings such as courts and health care facilities
- Continued need to rely on family and/or friends to provide interpretation services
- Lack of continuity of interpreter/translators when moved from one region to another when receiving services
- Lack of access to well-trained interpreter/translators
- Lack of standardisation of languages
- Lack of shared resources among organizations

Annual Highlights

Website

The website offers the best way to gather information about the Office of the Languages Commissioner and the *Official Languages Act*. Click the link to the Languages Overview or the link to the issues of the Annual Reports going back to 1992-1993. The Legislation Link will bring you to the Acts, Policies and Guidelines of the Office of the Languages Commissioner. Web pages are available in English and French with translations still being updated for the Indigenous Languages.

Promotional Activities

The Office of the Languages Commissioner focused on promoting the Office of the Languages Commissioner and the *Official Languages Act*. Due to the small budget for travel and promotion this was done as creative as possible.

- Promotional items were provided to both K'àlemì Dene School in Ndilo, N.W.T. and Samuel Hearne Secondary School in Inuvik, N.W.T. for their Language Program in recognition of student's attendance and hard work learning their language.
- Radio advertisements in 5 official Indigenous languages, Gwich'in, North Slavey, South Slavey, Tłı̄ch̄q and Chipewyan were run during the month of February to celebrate Indigenous Languages Month.
- Print advertisements were run in the various Newspapers and Magazines of the N.W.T.
- Advertisements were placed in the various Travel Magazines and newspapers throughout the N.W.T. to bring attention to various days of importance throughout the year. Indigenous Languages Month, National Indigenous Languages Day, National Indigenous Peoples Day, Francophone Month, French Language Day to name a few.
- Office promotion took place at various community events and assemblies.
- Meeting with the different Indigenous regional government language program staff; and Languages Commissioners when possible.

Meeting with the Federal Language Commissioner and Indigenous Language Commissioner

Meetings occurred with the Federal Languages Commissioner in preparation for the International Languages Commissioner Annual General Assembly. A meeting also occurred with the Federal Indigenous Language Commissioner to get an update on the progress of establishing office.

Important Meetings and Events

There were numerous, important events and meetings attended throughout the year, including:

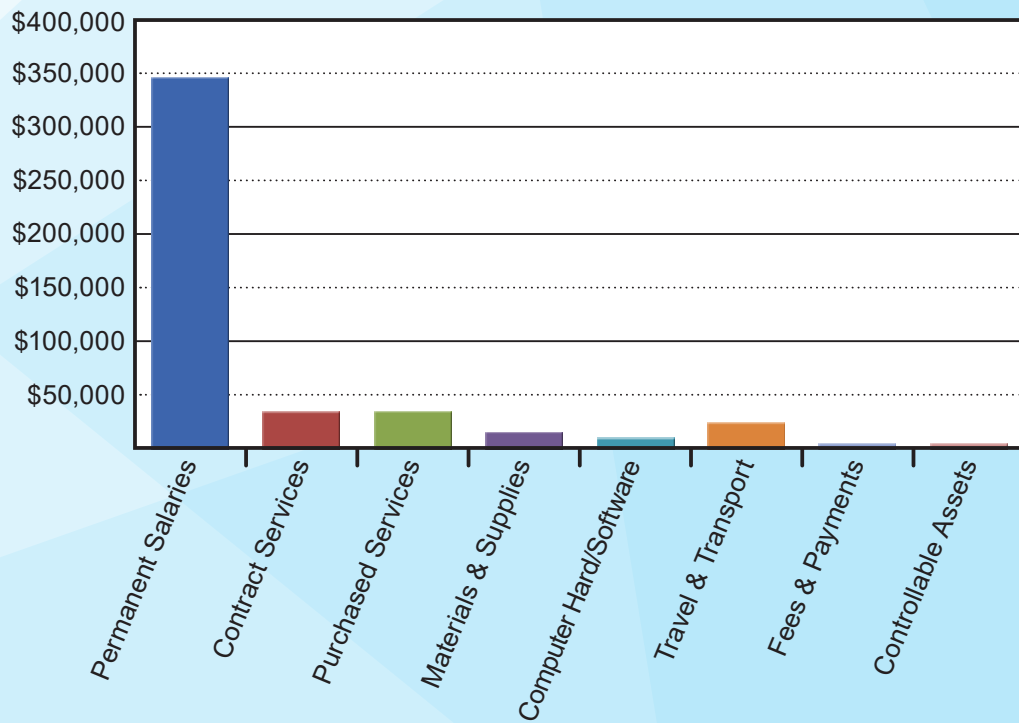
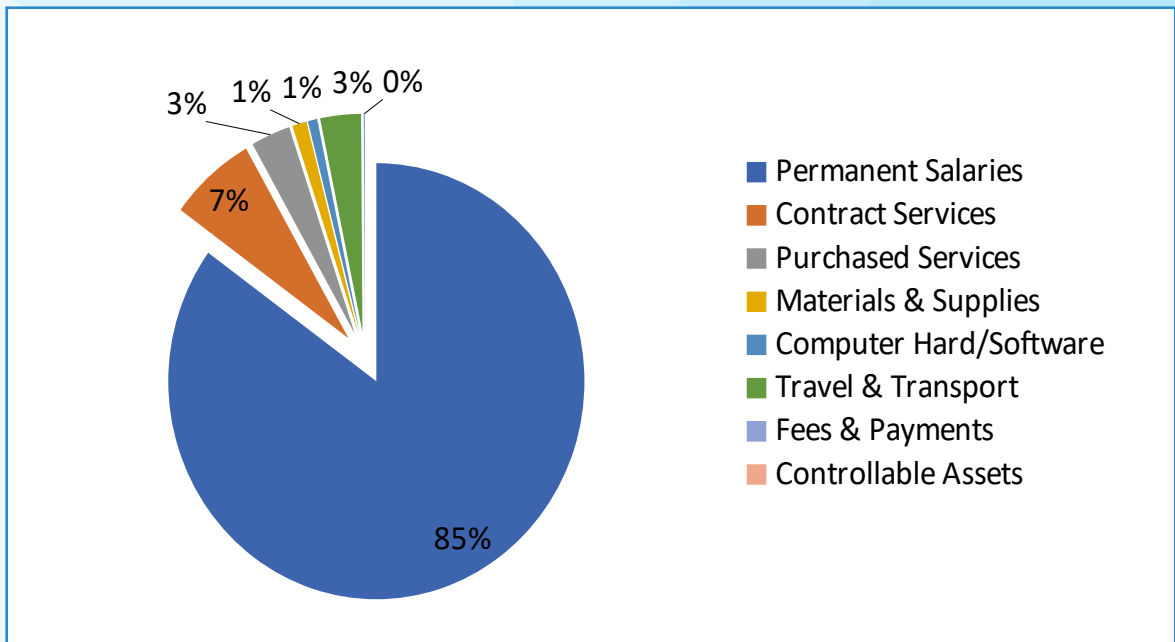
- Forum of Canadian Ombuds Online Training (April 4, 2023)
- Office promotion with Dene Nation staff, Yellowknife (May 12, 2023)
- Met with Director, Indigenous Languages Education, Culture and Employment, Yellowknife (May 12, 2023)
- Online Supervisory Training (June 7 & 8, 2023)
- Office promotion at the Dene National Annual General Assembly, Fort Fitzgerald (July 18–20, 2023)
- Met with Federal Languages Commissioner via TEAMS (November 12, 2023)
- Met with Samuel Hearne Secondary School Indigenous Languages teacher, Inuvik (November 23, 2023)
- Met with Inuvialuit Regional Council Language Program, Inuvik (November 24, 2023)
- Met with Gwich'in Tribal Council CEO, Inuvik (November 24, 2023)
- Office promotion at the Inuvik Christmas Craft Fair (November 24–26, 2023)
- School tour and office promotion at the K'àlemi Dene School, Ndilo (November 28, 2023)
- Met with Chief Electoral Officer, Elections NWT, Yellowknife (November 29, 2023)
- Attended the 20th Legislative Assembly session, Yellowknife (November 30, 2023)
- Met with Federal Indigenous Languages Commissioner, Ottawa (December 7, 2023) all expenses covered by prior commitment.



- Met with PHD student, via telephone (December 11, 2023)
- Met with and presented office presentation to newly elected Members of Legislative Assembly, Yellowknife (December 13, 2023)
- Met informally with Minister Responsible for Official Languages and Deputy Minister of Education, Culture and Employment, Calgary (January 23, 2024) all expenses covered by prior commitments.
- Attended AFN Exploring First Nation Education and Linguistic Connections Conference, Calgary (February 27–29, 2024) all expenses covered by prior commitments.
- Office promotion at the Aurora College Career Fair, Fort Smith (March 5, 2024)
- Met with Deh Gah Got'ie First Nation Band Manager, Fort Providence (March 25, 2024)

Budget

Total expenditures of the Office of the Languages Commissioner in the 2023-2024 fiscal year were \$407,765.00. A detailed breakdown of all the expenses are highlighted in the charts below.



Census Information

The results of the 2021 NWT Census show that Official Languages of the Northwest Territories, with the exception of English and French, are in danger. The only Indigenous language that had an increase in speakers was the Inuktitut language. Some highlights of the census are:

- English remains the predominant mother tongue (first language learned during childhood still understood) in the Northwest Territories (76.0% of the population). English is the most commonly spoken language at home for the vast majority of the population (87.2%).
- French language speakers comprise 2.8% of the Northwest Territories population with 1.5% of this population speaking their language at home.
- Those with an Indigenous language as mother tongue decreased from 11.2% in 2016 to 11.1% in 2021. The only language that did not decrease was Inuktitut. The statistics continue to indicate that Indigenous languages as a mother tongue are concentrated in older age groups.
- There was a slight increase in the proportion of persons with French as their mother tongue (3.3% in 2016 to 3.6% in 2021). In 2021, French as a mother tongue did not increase in the 45 to 64 year old age categories.

There are also worrisome statistics with respect to Official Languages as reported by the NWT Bureau of Statistics:

- From 1989 to 2019, the percentage of NWT residents able to speak an Indigenous Language decreased in all regions throughout the Northwest Territories. In 1989, 55.6% of the Indigenous population 15 years old and older could speak an Indigenous Language. By 2019 this decreased to 33.2 %. (The sharpest decline of 39.6% was in the Sahtu region where there was a decrease from 85.6% in 1989 to 46.0 % in 2019. The smallest decline of 17.2% was in the South Slave region where the decrease was from 39.5% in 1989 to 22.3 % in 2019.)
- From 1989 to 2019, the percentage of Northwest Territories residents 15 years old and older who are able to converse in English and French increased by 1.4% and 5.4% respectively. The percentage of Northwest Territories residents able to converse in Tłıchǵ decreased from 6.6% to 6.1%. With respect to all other Indigenous Official Languages, all language groups saw a decrease in the ability to converse, with the largest decreases being in South Slavey (1.8%), North Slavey (1.6%), and Chipewyan (1.5%).

These statistics are alarming and require that immediate steps be taken to ensure the health of all Official Languages. This includes ensuring that all items in the *NWT Indigenous Language Action Plan* and *Strategic Plan on French Language Communication and Services* be taken. These steps should be taken collaboratively with community leaders to meet the public's needs and keep all Official Languages in the Northwest Territories healthy.

Recent Court Cases of Interest

Commission scolaire francophone des Territoires du Nord-Ouest, A.B. et. al. v. Minister of Education, Culture and Employment of the Northwest Territories et. al.

This is a case from the Northwest Territories that we have been watching as it moved through the court system to the Supreme Court of Canada, which released its decision on December 8, 2023.

In 2016, the Department of Education, Culture and Employment, GNWT, adopted a directive governing the admission of children of “eligible non-rights holder parents” to French first language education programs. Three categories of non-rights holders were eligible for admission pursuant to the directive: (1) “reacquisition”; (2) “non-citizen Francophone”; and (3) “new immigrant.” In 2018 and 2019, five non-rights holder parents asked to have their children admitted to the Commission scolaire francophone des Territoires du Nord-Ouest (“CSFTNO”) program and were denied despite the recommendation of the CSFTNO. The requests were denied on the grounds that the conditions in the 2016 directive were not met and that to admit the children of non-rights holders “would impose too heavy a financial burden on the government and create intolerable budgetary unpredictability.” The Minister also refused to use her residual discretion to admit the children.

In determining the case, the Supreme Court of Canada reviewed the scope of section 23 of the Charter, which provides for a defined category of Canadian citizens “the right to have their children receive instruction in one of the two official languages where it is the minority language.” The court emphasized that the existence of these provisions “implies the inadequacy of the present regime” and that section 23 was meant to alter the status quo as its application “will of necessity affect the future of minority language communities.”

The Supreme Court of Canada determined that section 23 has a three-fold purpose “which is at once preventative, remedial and unifying in nature” and that “the preservation and development of minority language communities are among the values underlying section 23. Protection of the right to instruction in the minority official language, explicitly entrenched in the Constitution, is a reflection of these values, insofar as education is a means of realizing the societal ideal that they embody. These values require preserving and developing the vitality not only of the minority language, but also of the minority culture.”

The Supreme Court of Canada found that the Minister did not give sufficient weight to the values outlined in section 23 in making discretionary decisions on admission:

“Thus, the decisions rendered by provincial and territorial governments regarding the admission of children of non-rights holder parents to minority language schools, even when they do not directly infringe the rights guaranteed by s. 23, can nevertheless have a significant impact on the preservation and development of minority language communities. It follows that these values

are always relevant when the government exercises such a discretion and that they must therefore be taken into account. For the purposes of this appeal, this means that the Minister was required to consider the values of preservation and development of minority language communities in exercising her discretion to decide whether to admit children of non-rights holder parents to the schools of the Francophone minority in the Northwest Territories.”

The Supreme Court concluded that the Minister’s decisions were unreasonable.

Commissioner of Official Languages for New Brunswick v. Nurses Association of New Brunswick 2023 NBCA 60

This is a case involving the Commissioner of Official Languages for New Brunswick and the nursing association of that province. The case concerned the licensure examination for nursing students seeking to practice in the province known as NCLEX RN. The complaint initially arose in 2016 when a number of students voiced concerns that the examination was not properly translated into French and that there was a limited availability of French language resource materials to study for the exam. There was a high failure rate among francophone nurses.

In May 2018, then Languages Commissioner, Katherine d’Entremont, found the association violated the *Official Languages Act* and she made several recommendations, including that the association reply within four months regarding the steps it had taken to comply with the Act. In August 2018, the association applied for judicial review, but that application was later withdrawn following discussions with then interim Languages Commissioner, Michel Carrier. When current Languages Commissioner, Shirley MacLean, took office, a further complaint was filed by one of the 2019 complainants, asking her to revisit Carrier’s decision and to investigate the matter and see what the association had done since the d’Entremont report. In October 2021, MacLean determined she would investigate. The association then sought judicial review and took steps to prohibit the investigation on the basis that the matter had been settled. The application judge agreed with the association.

The New Brunswick Court of Appeal ruled to set aside the lower court’s decision. The appeal court found that, in applying a reasonable standard and considering the importance of official languages legislation, MacLean could commence her own investigation. The Court concluded that the Languages Commissioner could not be prevented from investigating and had an obligation to carry out her quasi-constitutional mandate to protect official languages.

First Nations Organizations Head to Court Over Quebec’s French Language Reform

In Spring 2023, two Indigenous groups filed a request for judicial review of Quebec’s French – language law (Bill 96). The Assembly of First Nations Quebec-Labrador and the First Nations Education Council want the Quebec Superior Court to look at the Charter of the French Language which was amended by Bill 96 in June 2022. They argue that the provisions infringe on their rights to self-determination and to teach children their ancestral language as set out in the Constitution.

They stated that the bill reinforces the use of French across numerous institutions, including the education and justice systems:

“The provisions reinforce, perpetuate and accentuate the disparities between Indigenous students and non-Indigenous people in education, deepened by policies and assimilationist laws implemented historically by the state and the education system towards Indigenous Peoples.”

The groups also accuse the government of not consulting with them before adopting Bill 96.

“There is no nation on the planet that is going to impose legislation on another nation and their language,” said Chief John Martin, of the Mi’kmaq community of Gesgapegiag and a member of the education council.

A Further Step Towards Indigenous Languages Revitalization

In an important step towards justice for First Nations loss of culture and language, in early 2023, the Federal government announced a settlement of the last class in the Residential Day School Class Action lawsuit (the Gottfriedson case class action lawsuit).

The lawsuit was originally filed in 2012 and combined claims made for band reparations and daytime scholars who were not included in the 2006 residential schools’ settlement. An out-of-court settlement was reached with the day scholars in 2021 to compensate for loss of culture and language by those forced to attend residential schools. That left the band claims to be settled and under the new agreement, Canada will place 2.8 billion in a trust to support healing, wellness, education heritage and language activities. A board composed of nine Indigenous directors will distribute the funds based on four pillars including revival and protection of Indigenous languages and cultures, promotion and protection of heritage, and wellness.

Marc Miller, the Minister of Crown-Indigenous Relations in Federal Cabinet commented on the agreement, stating that while the agreement cannot make up for the past, “what it can do is address the collective harm caused by Canada’s past.” Miller also stated that for the first time bands were being compensated and supported in their efforts to revive, protect, promote and sustain Indigenous languages and cultures.”

To conclude this section, it is important to note that the Canadian Bar Association’s French-Speaking Common Law Members Section is seeking to increase the number of important court decisions that are available in both official languages in each province and territory in Canada. The section is encouraging the Department of Justice to resume its financial support of the Centre de traduction et de terminologie juridiques (CTTJ) Project. The section states:

“There can be no real equality in access to justice in Canada if case law is not available to litigants in both official languages of the country.”

Amendments to the *Official Languages Act* and Regulations

Over the years, Languages Commissioners have made numerous recommendations to revise the *Official Languages Act*. The *Official Languages Act* must undergo an extensive review pursuant to section 35 of the Act. The last review was completed in March 2023, and is currently waiting for response from the Government of the Northwest Territories on how it plans to action the recommendations put forward.



Recommendations from the Office of the Languages Commissioner

1. This recommendation is a repeat from last year as it is believed to be an important requirement: that the Government of the Northwest Territories create a separate division that focuses specifically on the Official Indigenous Languages of the Northwest Territories which mirrors the Francophone Affairs Secretariat, or a division similar. The Francophone Affairs Secretariate provides (taken off website page); these services should be provided by the division to ensure the Official Indigenous languages provides these services government wide to the residents of the Northwest Territories:

- Provide advice and support to GNWT institutions.
- Develop orientation programs for French Language Service Coordinators.
- Coordinate French translations services for the GNWT.
- Liaise with the Francophone community.
- Ensure systematic audits of French language communications and services.

2. It is recommended that the Government of the Northwest Territories do more to provide services in all Official Languages in Government institutions in all communities. One way to accomplish this is to collaborate with the Indigenous Regional Governments.

The Office of the Languages Commissioner

It is imperative that the Office of the Languages Commissioner be adequately resourced to ensure the mandate of the office is maintained and the rights of all official languages are protected.

- At present, there is no backlog of complaints.
- The position of Languages Commissioner has shifted from part-time to full-time with the appointment of the Languages Commissioner. A full-time Office Manager position is also filled.
- The Office of the Official Languages Commissioner is located in the Town of Fort Smith.
- The Commissioner is required to be mindful of the changes in the *Official Languages Act* that occurred in 2004, in which the responsibility for the promotion and preservation of Official Languages shifted from the Languages Commissioner to the Minister Responsible for Official Languages. The Languages Commissioner's role is now considered an Ombuds-type role, designed to deal with complaints where language rights have been violated.
- In 2019 the Federal *Indigenous Languages Act* was passed and an Indigenous Languages Commissioner and three Directors were appointed in 2021 to set up the office and implement the legislation. It is unknown at this time what the impacts may be for the Indigenous languages of the Northwest Territories.
- In 2023, the Minister Responsible for Official Languages and the Department of Education, Culture and Employment made minor changes to the *Official Languages Act*. The Standing Committee on Government Operations completed the review of the *Official Languages Act* at the end of the calendar year. The government's response to these recommendations is forthcoming.
- It should be noted that the Legislative Assembly should revisit the needs and responsibilities of the Office of the Languages Commissioner on a regular basis to ensure adequate resources for the functioning and requirements of the Office are met.

Official Languages Map of the Northwest Territories



Contact Us

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