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Uqauhinut Kamisinaup Havakvia Nunavunmi

Office of the Languages Commissioner of Nunavut

Bureau du commissaire aux langues du Nunavut

Consolidated Annual Reports for April 1, 2021, to March 31, 2024

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1. LETTER TO THE SPEAKER OF THE LEGISLATIVE ASSEMBLY

Speaker of the Legislative Assembly
Legislative Assembly of Nunavut
Iqaluit, Nunavut
X0A 0H0

Mr. Speaker,

Per subsection 24(1) of the *Official Languages Act*, I am pleased to submit to you the 2021–2022, 2022-2023, and 2023-2024 Annual Report of the Office of the Languages Commissioner of Nunavut.

This report covers the period from April 1, 2021, to March 31, 2024.

Furthermore, please table this report in the Legislative Assembly of Nunavut, as specified in subsection 24(2) of the *Official Languages Act*.

Respectfully,

A handwritten signature in black ink, consisting of a large, stylized initial 'K' followed by a series of loops and a final flourish.

Karliin Ariak
Languages Commissioner of Nunavut

2. MESSAGE FROM THE LANGUAGES COMMISSIONER

Since the creation of the Office of the Languages Commissioner of Nunavut in 1999, the role of the Languages Commissioner has evolved. Notably, on July 1, 2009, the *Inuit Language Protection Act* came into force, establishing critical new roles and responsibilities for the Office in safeguarding the language rights of Nunavummiut. The additional duties are essential to note because the law outlines my office's power to investigate language rights infringements.

These laws confer to my office the right to obtain information to support our investigation of any and all concerns regarding language rights infringements in Nunavut. Section 25 (5) of the *Official Languages Act*, in particular, ensures that the *Access to Information and Protection of Privacy Act* does not limit our investigative powers. Section 38 (6) of the *Inuit Language Protection Act* further affirms that the protection of privacy in regard to our investigation does not apply.

Our office has made numerous efforts to communicate these provisions of law to departments of the Government of Nunavut. Unfortunately, we have faced continued resistance from departments in providing the information needed for our investigations which has delayed our efforts to address language rights infringements. I have reached out to the Information and Privacy Commissioner to further affirm my responsibility and powers to obtain information from GN departments and agencies to support my investigations. I am sharing below some direct quotes from the Information and Privacy Commissioner's letter:

"Section 25(5) of the OLA says

(5) If there is an inconsistency or conflict between this section and the Access to Information and Protection of Privacy Act or the regulations made under that Act, this section prevails to the extent of the inconsistency or conflict.

s 38(6) of the ILPA:

(6) If there is an inconsistency or conflict between this Part and the Access to Information and Protection of Privacy Act or the regulations made under that Act, this Part prevails to the extent of the inconsistency or conflict.

My conclusions are:

- You have the legal authority to collect and disclose the information you have asked for.
- There is no requirement whatsoever that you apply for information under the ATIPPA.
- If a public body gives you the information you ask for, there is no possible breach of privacy under the ATIPPA.

Your Powers under the OLA and the ILPA

Your office is governed by two pieces of legislation: the *Official Languages Act* (OLA) and the *Inuit Language Protection Act* (ILPA). These two laws give you broad authority to investigate and to require the production of documents and other information.

The key provisions of the OLA on collection of information are the following:

- The Languages Commissioner may “request and obtain information from the persons and in the manner the Languages Commissioner considers appropriate”: s 31(1).
- The Languages Commissioner may compel testimony “at a time and place” specified by the Commissioner: s 31(2)(c).
- The Languages Commissioner may compel a person to produce “documents and things” in a person’s possession that the Commissioner considers relevant “at a time and place” specified by the Commissioner: s 31(2)(d).

Under the OLA and the ILPA, you have a right to whatever information you consider relevant, with few and limited exceptions. You may compel a public agency to give it to you. You do have some statutory restrictions on what you can do with the information, but that is a decision for you to make, not the public agency.

In ATIPPA terms, if a public agency gives you the information you require them to produce, there is no possibility of a breach of privacy under the ATIPPA. If a citizen were to complain of a privacy breach under s 49.1(1) of the ATIPPA because a public body had disclosed personal information to the Languages Commissioner, I would inevitably rule there is no privacy breach, for the reasons given in this letter.”

The Information and Privacy Commissioner’s analysis affirms my role and office’s right to request and obtain information about our investigation of language rights infringements.

Unfortunately, I not only had to refer to the law to compel public officials to release information in support of the investigation but also needed the Information and Privacy Commissioner to affirm this.

Our office’s ability to effectively investigate and address language rights infringements requires the full engagement of front-line workers, middle management and senior management across all GN Departments. Please keep in mind that in addition to addressing language rights concerns related not only to services provided by the Government of Nunavut but also to services provided by public agencies of the government of Nunavut, Municipalities, private sector bodies and the federal government. Protecting the language rights of Nunavummiut is our collective responsibility and requires the full cooperation of individuals and organizations at multiple levels.

The entirety of the Information and Privacy Commissioner’s letter is available by contacting our office.

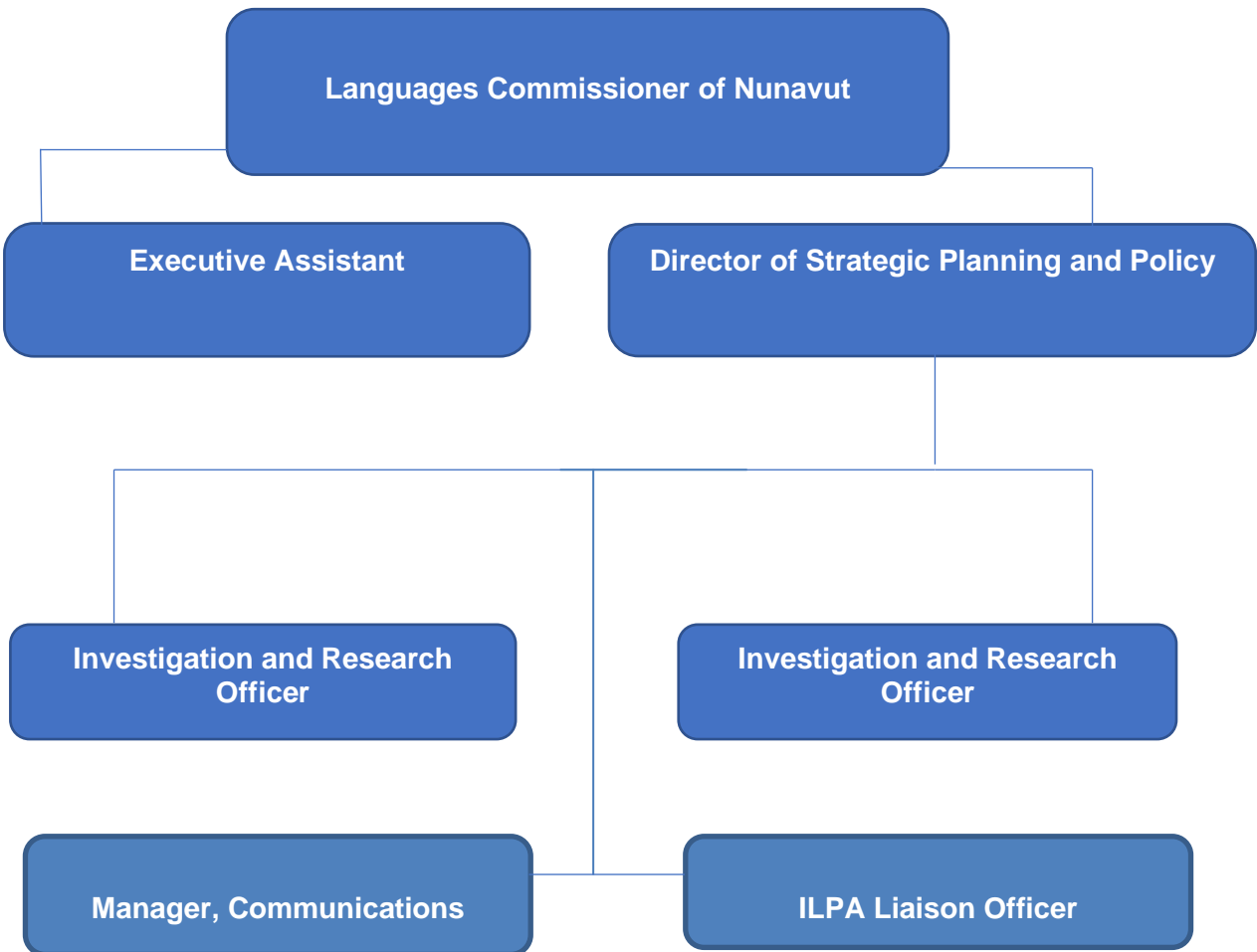
Quana – ᖃᑦᑲᑦᑲᑦᑲᑦ – Nakurmiik - Thank you - Merci

Karliin Aariak

3. ORGANIZATION CHART



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Uqauhinut Kamisinaup Havakvia Nunavunmi
Office of the Languages Commissioner of Nunavut
Bureau du commissaire aux langues du Nunavut



4. MANDATE, VISION AND RESPONSIBILITIES OF THE LANGUAGES COMMISSIONER

The Languages Commissioner is an independent officer of the Legislative Assembly of Nunavut appointed for a five-year term by the Commissioner of Nunavut on the recommendation of the Legislative Assembly. The duty of the Languages Commissioner is established under section 22 of the *Official Languages Act* (OLA) and section 28 of the *Inuit Language Protection Act* (ILPA).

MANDATE

The mandate of the Languages Commissioner is to promote and safeguard the language rights of Nunavummiut enshrined in Nunavut's language legislation. The role of the Office is to champion three distinct linguistic communities: the Inuit language-speaking community, the French-speaking community and the English-speaking community.

RESPONSIBILITIES

The Languages Commissioner has four primary responsibilities:

Ombudsman

The Languages Commissioner reviews any possible breach of the language legislation by territorial institutions, municipalities, private sector organizations, and federal departments, agencies and institutions. The Office can investigate, make findings and reports, mediate settlements and suggest ways to recommend corrective actions to address language rights violations.

Advocate

The Languages Commissioner communicates with obligated bodies to influence decision-making, practices or policies about respecting language rights.

Advisor

The Languages Commissioner advises, assists and works with territorial institutions, municipalities, private sector organizations, and federal departments, agencies and institutions on their service and communication obligations. The Office also informs Nunavummiut of their language rights.

Monitor

The Languages Commissioner monitors and examines the progress of territorial institutions, municipalities, private sector organizations, and federal departments, agencies and institutions in meeting their obligations under Nunavut's language acts.

The Languages Commissioner's duties are the following:

- To inform Nunavummiut of their language rights
- To inform and advise territorial institutions, municipalities, private sector organizations, federal departments, agencies and institutions of their language obligations
- To monitor territorial institutions, municipalities, private sector organizations, federal departments, agencies and institutions' language services and communications with the public
- To inform municipalities, private sector and federal organizations of their language communication and service requirements under section 3 of the ILPA
- To investigate or facilitate resolution and to recommend corrective actions
- To support and monitor the implementation of the Nunavut's language legislation

The Commissioner also has broader functions, including:

- Promoting language rights by providing opportunities to use the official languages
- Keeping under review the adequacy and effectiveness of the laws relating to official language rights
- Producing and publishing reports
- Carrying out research or studies
- Making recommendations to obligated bodies and giving advice to any person

5. RECOMMENDATIONS

The Office of the Languages Commissioner opened in 1999 when Nunavut became a territory. Every year, this office has recommended ways to address the Language concerns of our residents. Since I commenced my official term as Languages Commissioner in 2020, an increasing number of Nunavummiut have come to our office to express concerns regarding language rights infringements.

Our office has made numerous recommendations over many years to address these critical concerns and help prevent future language rights infringements. Recommendations from my office can be directed to the federal government, Nunavut Government, municipalities and the private sector. The responsibility is then with the obligated bodies who have received these recommendations to either accept and comply with my recommendations or not act upon any recommendations.

I want to reiterate essential recommendations made by our office in past years and discuss the extent to which my recommendations were followed.

In 2018-2019, our office specifically recommended that for Territorial institutions to comply with OLA, “every territorial institution should prioritize the translation of documents geared towards the public (such as forms, guidelines, and posters).”

In 2018-2019, we further recommended that “to comply with OLA, every territorial institution should assess the feasibility of developing multilingual templates for recurring documents (such as statistical tables and reports).

In 2017-2018, we recommended that the Government of Nunavut develop a directive for communications with the public in all official languages to provide clear expectations for public servants, including standards, procedures, and resources.

In 2017/2018, we also recommended that the Department of Culture and Heritage + IUT implement a database to gather terminology already used in the territorial institutions and develop specialized terminology.

Below are the recommendations that were made from my office in 2014-2015:

The Department of Health should provide and promote active offers and enable them to be implemented systematically and effectively across primary care services, including escorts and medevac services. **Response from the Department of Health** - Once the review of the model of care is completed, the department will be in a position to develop a language plan. The instigation of an active offer will be part of this plan.

The Department of Health should also establish strategies that outline the methods used to eliminate language barriers, facilitate access to services, and improve health care. **Response from the Department of Health** - The Department will be in a position to take action to develop

a language plan once the review of the model of care is completed. Language barriers will be addressed.

The Department of Health should develop a clear goal of providing equal primary health care services to all official language groups. **Response from the Department of Health** - The Department of Health appreciates the importance of offering all official language groups services of equal quality. The Department will be in a position to take action to develop a language plan once the review of the model of care is completed. This will address goals.

The Department of Health should establish standards of services regarding interpretation at QGH for all hours. Interpretation/translation services should always be available to patients. **Response from the Department of Health** - The Department has applied for funding from the Department of Culture and Heritage to develop a business case to explore options for making interpretation services available 24/7 at the QGH. The Department of Health has not confirmed whether this funding request was ultimately approved or what specific actions were taken to address concerns.

In 2014-2015 we also recommended that The Department of Health should ensure that once a patient has chosen to communicate in an official language, this choice is followed through the chain of services, including escorts and medevac services. In 2015-2016, the e Department responded to my office indicating that it will be in a position to take action to develop a language plan once the review of the model of care is completed. Continuity of services using the clients' preferred language was to be considered. The Department applied for funding from the Department of Culture and Heritage for a position in the Office of Patient Relations that would take on the role of coordinating French services. The Department of Health did not confirm to our office whether this funding request was approved.

In 2013-2014, my offices recommended that the Minister of Languages, in collaboration with departments such as Economic Development and Transportation and organizations such as the Inuit Uqausinginnik Taiguusiliuqtiit (IUT), work towards providing adequate and appropriate support for terminology development, training as well as software requirements. In 2015-2016, we received a response from the Inuit Uqausinginnik Taiguusiliuqtiit stating that IUT staff were collaborating with the federal Translation Bureau and the Nunavut Department of Culture and Heritage to launch a terminology database using the Termium platform (used by the federal Translation Bureau) which was to be made accessible to translators and to the public.

In 2011-2012, we recommended to the Department of Culture and Heritage + IUT that upon graduating from the college translation program, translators should apply for certification to prove competency for professional work. In 2015-2016, the Department of Culture and Heritage issued a response stating that it will be incumbent upon the Inuit Uqausinginnik Taiguusiliuqtiit (IUT) to "develop and publish competency levels" in Inuktitut, including recommending or administering tests to certify an individual's level of language skills. In collaboration with territorial and national partners, namely the Canadian Translators, Terminologists and

Interpreters Council, the IUT will identify options to reintroduce a certification mechanism for Nunavut translators and interpreters during the 2016–2017 fiscal year.

6. OFFICIAL LANGUAGES OF NUNAVUT

Nunavut has three official languages: the Inuit language (Inuktitut and Inuinnaqtun), also known as Inuktit, English and French. The *Official Languages Act* and the *Inuit Language Protection Act* ensure that Nunavut's Inuit and Francophone communities have the means necessary to safeguard and strengthen their cultural expression, collective life and heritage for future generations.

6.1. LANGUAGE LAWS

Official Languages Act (OLA)

According to the OLA, territorial institutions must communicate with the public and provide services in all the official languages. They must also make an active offer of their services by informing members of the public of their right to communicate in their preferred official language and to receive communications and available services in that language from the head or central service offices as well as other offices where there is significant demand for an official language or due to the nature of the service (public safety, security and health).

An individual, or on behalf of another person, group or community, can file a language rights concern with the Office of the Languages Commissioner when members of the public are not receiving services and communications in the official language of their choice per sections 11 and 12 of the OLA.

A concern can be brought to the OLC in any of these circumstances:

- The status of an official language has not been recognized.
- A provision of the OLA or any other act or regulation relating to the status, use or protection of an official language has not been complied with.
- The spirit and intent of the OLA or ILPA have not been fulfilled.

The Languages Commissioner can also commence an investigation without having received concerns directly from a member of the public, either on her initiative or at the request of a territorial institution, municipality, or member or committee of the Legislative Assembly.

Under the OLA, municipalities also need to provide communications and services in French or English if there is deemed to be a “significant demand” for these official languages. The Government of Nunavut has yet to provide a mechanism to identify this “significant demand” and pass regulations requiring municipalities to deliver services and communications in French or English.

The Office can monitor language services and communications with the public to ensure territorial institutions' compliance with the OLA. Surveys such as call verification, written communication and website reviews, and email verification are helpful measurement tools for collecting data.

Systemic Investigation

An investigation may be systemic when non-compliance with language rights is seen as an endemic problem. The decision to conduct a systemic investigation is based on a list of criteria that follow ombudsman practices in Canada, such as:

1. The situation concerns major strategic issues.
2. It is a recurring problem.
3. A large number of people are potentially at risk.
4. The number of concerns received is essential.
5. The recommendations made by the Languages Commissioner's Office were ignored.

Inuit Language Protection Act (ILPA)

The ILPA guarantees the right to education in the Inuit language, protects territorial public servants who prefer to work there and defines specific obligations for government, municipalities, the private sector, and federal organizations.

A language rights concern with a territorial institution, a municipality, a private sector organization and a federal department, agency or institution can be filed with the Office of the Languages Commissioner when public members are not receiving services and communications in the Inuit language. The Languages Commissioner takes all actions and measures to ensure that the rights, status and privileges established by this act concerning the Inuit language are recognized and performed.

Also, according to section 11 of the ILPA, territorial institutions must provide an active offer, meaning there must be a "clear explanation in the Inuit Language of an individual's right to use the Inuit Language during recruitment or employment." Without the active offer, individuals may be shy or scared to use the Inuit language.

6.2. STATUS OF OFFICIAL LANGUAGES SPOKEN BY NUNAVUT'S POPULATION

According to Statistics Canada's 2021 Census data, the following is a brief statistical overview of Nunavut's population and its language situation.¹:

Population characteristics

- According to data from recent censuses, the population of Nunavut grew by 2.5% between 2016 and 2021, to a total of 36,858 in 2021.

¹ JEAN-FRANÇOIS LEPAGE and STÉPHANIE LANGLOIS, with the collaboration of MARTIN TURCOTTE, *Evolution of the language situation in Nunavut, 2001 to 2016*, for Statistics Canada, March 2019.

- Nunavut's population is much younger than the provinces and other territories, with an average age of 28.3 years, compared to 41.9 years nationally.
- Inuit made up 84.3%% of the population of Nunavut in 2021, down slightly from 84.7% in 2016
- In 2021, the non-Inuit population was mostly concentrated in Iqaluit (61.1%). A larger proportion was also found in Rankin Inlet (9.1%) and Cambridge Bay (5.7%).

Population with Inuktitut as a mother tongue

- In 2021, 19,370 Nunavut residents (52.90% of the population) reported Inuktitut as their mother tongue. This proportion is down by 14.20% from 2016 which accounted for 22,600 Nunavut residents that reported Inuktitut as their mother tongue.
- The number of Inuktitut mother tongue speakers has reduced by 3,230 since 2016, resulting in a percentage decrease over the years.
- Just over three-quarters of Inuit (76.6%) reported Inuktitut as their mother tongue in 2016, which means that Inuktitut was not transmitted as a mother tongue to 23.4% of Inuit, or 7,075 people.

Population with French as a mother tongue

- In 2021, 1,450 Nunavut residents could converse in French. This number was down from 2016 (-130) but higher than in 1991 (+635). The demographic weight of these residents rose from 3.8% in 1991 to 4.4% in 2016, then fell to 4.0% in 2021.
- In 2021, 575 residents of Nunavut (1.6% of the population) had French as their only first official language spoken.
- In 2021, 665 Nunavut residents had French as one of their mother tongues, up from 1991 (+205) and 2016 (+25)
- In 2021, 705 people (1.9%) spoke French at least regularly at home. Among those with French as one of their mother tongues, nearly three-quarters (73.9%) spoke French regularly at home.
- In 2021, 295 workers living in the territory (2.5%) spoke French at least regularly at work. Many of them worked in public administration (37.3%), educational services (10.2%) or health care and social assistance (10.2%).
- The municipalities with a population of more than 500 that had the highest proportion of people who spoke French were the capital, Iqaluit (15.2%), Cambridge Bay (2.3%) and Rankin Inlet (1.9%)
- The municipalities with a population of more than 500 that had the highest number of French speakers were Iqaluit (1,110), Rankin Inlet (55) and Cambridge Bay (40).

- In 2021, one in six immigrants (16.7%) could converse in French. This proportion was higher among immigrants admitted before 2016 (18.4%) than those admitted between 2016 and 2021 (10.4%).

Population with English as a mother tongue

- In 2021, 33,105 Nunavummiut had knowledge of English as an official language.
- In 2021, 33,955 Nunavummiut recognized English as the first official language spoken.
- In 2021, English is the mother tongue of 12,100 Nunavummiut (33.3%) and is spoken most often at home for 17,060 Nunavummiut.
- Almost 88% of the population can conduct a conversation in English. The use of English is increasing at the expense of both Inuktitut and French.

6.3. COMMUNICATIONS AND SERVICES TO THE PUBLIC

The following chart summarizes and compares the scope and scale of the two acts regarding communications and services to the public.²

OFFICIAL LANGUAGES ACT	INUIT LANGUAGE PROTECTION ACT
Deals with Nunavut’s three official languages: the Inuit language, English and French	Deals only with the Inuit language
Applies to territorial institutions: <ul style="list-style-type: none"> • GN departments and public agencies • Legislative Assembly • Nunavut Court of Justice and other tribunals 	Applies to territorial institutions: <ul style="list-style-type: none"> • GN departments and public agencies • Legislative Assembly • Nunavut Court of Justice and other tribunals
Applies to municipalities “if there is a significant demand” for “prescribed” communications and services in an official language	Applies to municipalities regardless of demand
Does not directly apply to private sector bodies	Applies to private sector bodies (includes business and any other organized entity delivering services or information to the public in Nunavut)
Does not apply to federal departments, agencies and institutions	Applies to federal departments, agencies and institutions

² DEPARTMENT OF CULTURE AND HERITAGE, *Uqausivut – The Comprehensive Plan Pursuant to the Official Languages Act and the Inuit Language Protection Act 2012–2016*, Government of Nunavut, page iii.

Territorial institutions in Nunavut as defined by the Act³

<p><u>Departments of the Government of Nunavut</u></p> <ul style="list-style-type: none"> • Community and Government Services • Culture and Heritage • Economic Development and Transportation • Education • Environment • Executive and Intergovernmental Affairs • Family Services • Finance • Health • Human Resources • Justice <p><u>The offices and institutions of the Legislative Assembly of Nunavut</u></p> <p><u>Judicial bodies</u></p> <ul style="list-style-type: none"> • Court of Appeal • Nunavut Court of Justice 	<p><u>Public agencies</u></p> <ul style="list-style-type: none"> • Commission scolaire francophone du Nunavut • District Education Authorities • Inuit Uqausinginnik Taiguusiliuqtiit • Legal Services Board of Nunavut • Liquor Commission • Nunavut Arctic College • Nunavut Business Credit Corporation • Nunavut Development Corporation • Nunavut Housing Corporation • Qullit Nunavut Status of Women Council • Qulliq Energy Corporation • Workers' Safety and Compensation Commission <p><u>Quasi-judicial bodies (without limitation)</u></p> <ul style="list-style-type: none"> • Human Rights Tribunal • Labour Standards Board • Liquor Licensing Board
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³ *Idem*, page 4. Territorial institutions as listed in Schedules A, B and C of the *Financial Administration Act*.

7. ACTIVITY REPORT

7.1. STAFFING AND PROFESSIONAL DEVELOPMENT

- There are six full-time positions⁴ at the Office of the Languages Commissioner.

As of March 31, 2022, two positions were staffed:

- Manager, Communications
- Investigation and Research Officer – French

and a competition was underway for one position:

- Director of Strategic Planning and Policy
- Work was done with the Department of Human Resources job evaluation division to reprofile the job description for our Public Affairs Officer to a Manager of Communications.
- The Director of Strategic Planning and Policy retired in January 2022.
- The advertisement for an executive assistant was posted with a closing date of August 6, 2021. Restricted to Nunavut Inuit in Iqaluit, term without housing.

As of March 31, 2023, three positions were staffed:

- Investigation and Research Officer – French
- Director of Strategic Planning and Policy
- Executive Assistant
- Recruitment of the Investigation/Research Officer (Inuktitut) and the Inuit Language Protection Act Liaison Officer was underway. Two successful Inuit candidates were offered positions.
- In April and May 2023, the staff received online training on the office's software (i-sight).
- In May 2023, staff received the Government of Nunavut procurement training.

7.2. TRAVEL, MEETINGS AND EVENTS

- The Language Commissioner appeared before the House of Commons Standing Committee on Indigenous and Northern Affairs in Ottawa on January 30, 2023. The Language commissioner reiterated the office's mandate and pointed out the issues the territory has

⁴ As the Languages Commissioner is appointed by the Commissioner of Nunavut on the recommendation of the Legislative Assembly, we do not take this position into account.

been having with the Federal Government's non-compliance with the two Nunavut Language legislative Acts, especially the ILPA. The languages commissioner reiterated that even though Canada commits itself to respecting the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) declaration for the Indigenous people. Federal agencies, departments, and institutions in Nunavut must comply with the ILPA in Nunavut. The Office of the Languages Commissioner of Nunavut (OLCN) continues to receive concerns about federal agencies, departments, and institutions in Nunavut. Furthermore, the issues the Office faces in addressing concerns involving the federal agencies, departments, and institutions in Nunavut are the following:

- (a) The lack of response from the obligated federal agencies, departments, and institutions; and
- (b) Tools to enforce their compliance with the law are absent, even if the complaints are admissible.

The Languages Commissioner stated that this is especially concerning because federal agencies, departments, and institutions in Nunavut are accountable for the lack of Inuktitut in their oral communications, public signs, posters, reception, and client services as required under ILPA.

In addition, the Languages Commissioner gave the following examples of concerns received by the office:

Example 1: Inuktitut was missing on posters and ballots during the last federal election in Nunavut;

Example 2: Information related to health, like the “mask required” sign posted on a door during election day, was only in English, while there are unilingual voters in the community;

Example 3: Posters in a federal facility were in English and French only;

Example 4: Inuit public servants in Nunavut are not paid a bilingual bonus even if Inuktitut is required to perform their duties in the territory.

To address these concerns, the Languages Commissioner made the under-listed recommendations:

Recommendation 1: Memorandum of understanding (Administrative tool)

Establish an MOU with federal agencies, departments, and institutions in Nunavut. This will be the mechanism to improve communication on language issues and resolve them while concerns are raised about a federal institution in Nunavut.

Recommendation 2: Legislative tool

- To hold the Privy Counsel accountable for the implementation of recommendations on Language issues in Nunavut and ultimately in Canada;
- To establish a clear time frame for federal agencies, departments, and institutions operating in Nunavut to respond to OLCN recommendations.

- From May 24 to 28, 2023, Senator Cormier, accompanied by Senator Dennis Glen Patterson, visited Iqaluit, Nunavut, to understand better the realities on the ground and the fundamental issues related to protecting official languages in Nunavut, a unique feature in the Canadian linguistic landscape. Senator Cormier and Dennis Glen Patterson were treated to many cultural dances and food.

Furthermore, Senator Cormier met with the then Minister of Languages.

- In May 2023, the Language Commissioner met with the Finance, Justice, Culture, and Heritage DMs and the Director of Legislation regarding the language funds account.
- My office also corresponded with the Treasury Board to address one of the concerns regarding bilingual bonus of Inuktitut-speaking employees of the Federal Government. One of such letters can be seen in Appendix A.

7.3. PUBLIC OUTREACH

- Nunatsiaq News interviewed the Languages Commissioner on federal election ballots.
- Up Here magazine publishes an interview about the Office of Languages Commissioner and Microsoft translator.
- Interview with Microsoft: Real AI
- CBC radio interview
- CBC requests language rights issues
- Blog Post from Microsoft Real AI interview
- CBC North interview regarding GG and language concerns
- APTN news interview regarding GG and language concerns
- CBC News – « the Rundown » interview regarding language concerns
- News North interview regarding Kuugaruk street signs in Inuktitut
- CBC Iqalaaq Interview regarding Embassy West
- MS Translator goes live with video and blog
- CBC Northbeat interview regarding Inuktit language month
- Interview with CBC Iqalaaq regarding Language month

- CBC interview with Tausunni
- Interview with Indigenous language spotlight blog
- Media interviews regarding the federal election ballots and appearance to committee

7.4. PROJECTS

- We reviewed completed Inuit Language Plans received from private sectors, approved and followed up where necessary.
- We investigated concerns filed with the OLC.
- We are following up with OLC Recommendations with all the GN Departments.
- We reviewed the Inuit language plans template and guidelines and made them available in all Nunavut languages.
- The most significant commitment in 2023 was the review of the two Nunavut language legislative Acts. The Office of the Languages Commissioner carried out a comprehensive review of the *Nunavut Official Languages Act* and the *Inuit Language Protection Act*. The Language Commissioner appeared in the Legislative Assembly on September 25, 2023.

8. CONCERNS AND INUIT LANGUAGE PLANS

8.1. CONCERNS

To fulfill its role, the Office of the Languages Commissioner (OLC) carries out various activities, including investigations into concerns from the public. Concerns are a direct way in which Nunavummiut, as members of the public, can express their dissatisfaction or concern over a failure to provide communications and services in Inuktitut, English or French or over the poor quality of services offered.

It is essential to file a concern to:

- Ensure that Nunavummiut’s language rights are respected
- Find solutions
- Report a problem
- Increase awareness of language rights and obligations in territorial institutions, municipalities, private sector organizations and federal institutions (obligated bodies⁵)

The obligated body should commit to solutions such as informing the staff and managers of their language obligations, reviewing practices and guidelines for providing communications and services to the public in all the official languages and implementing control measures.

Concerns received

NOTE: A request for information is not a concern and is not processed by the OLC. However, the applicant has the right to file a concern if they consider that their right to receive services in the official language of their choice has not been respected.

2021-2022

TABLE 1

NUMBER OF CONCERNS RECEIVED

Concerns	Numbers
Admissible	22
Inadmissible	7
Total	29

⁵ Please refer to Chapter 6.3 – Territorial institutions as defined by the Act

TABLE 2**CONCERNS CLASSIFIED BY MEANS OF COMMUNICATION**

Means of communication	Number of concerns
Verbal (in person or by phone)	5
Written (by letter, fax or e-mail)	21
Other (Media & OLC)	3
Total	29

TABLE 3**CONCERNS CLASSIFIED BY LANGUAGE**

Language	Numbers
Inuktitut	27
French	2
Inuktitut and French	0
Total	29

TABLE 4**CONCERNS RECEIVED CLASSIFIED BY SECTOR**

Sectors	Number
Territorial	14
Municipal	1
Private	10
Federal	4
Others (unclassified sectors in the	0

legislations/frivolities, futile/bad faith/	
Total	29

TABLE 5

ADMISSIBLE AND INADMISSIBLE CONCERNS CLASSIFIED BY SECTOR

Sectors	Admissible	Inadmissible	Total
Territorial	14	0	14
Municipal	1	0	1
Private	5	5	10
Federal	2	2	4
Others (unclassified sectors in the legislations/frivolities, futile/bad faith/	0	0	0
Total	22	7	29

2022-2023

TABLE 1

NUMBER OF CONCERNS RECEIVED

Concerns	Numbers
Admissible	12
Inadmissible	4
Total	16

TABLE 2

CONCERNS CLASSIFIED BY MEANS OF COMMUNICATION

Means of communication	Number of concerns
Verbal (in person or by phone)	6
Written (by letter, fax or e-mail)	6
Other (Media & OLC)	4
Total	16

TABLE 3

CONCERNS CLASSIFIED BY LANGUAGE

Language	Numbers
Inuktitut	13
French	0
Inuktitut and French	3
Total	16

TABLE 4

CONCERNS RECEIVED CLASSIFIED BY SECTOR

Sectors	Number
Territorial	9
Municipal	0
Private	3
Federal	4
Others (unclassified sectors in the legislations/frivolities, futile/bad faith/	0
Total	16

TABLE 5**ADMISSIBLE AND INADMISSIBLE CONCERNS CLASSIFIED BY SECTOR**

Sectors	Admissible	Inadmissible	Total
Territorial	9	0	9
Municipal	0	0	0
Private	3	0	3
Federal	2	2	4
Others (unclassified sectors in the legislations/frivolities, futile/bad faith/	0	0	0
Total	14	2	16

2023-2024**TABLE 1****NUMBER OF CONCERNS RECEIVED**

Concerns	Numbers
Admissible	14
Inadmissible	5
Total	19

TABLE 2**CONCERNS CLASSIFIED BY MEANS OF COMMUNICATION**

Means of communication	Number of concerns
Verbal (in person or by phone)	2

Written (by letter, fax or e-mail)	12
Other (Media & OLC)	5
Total	19

TABLE 3

CONCERNS CLASSIFIED BY LANGUAGE

Language	Numbers
Inuktitut	13
French	1
Inuktitut and French	5
Total	19

TABLE 4

CONCERNS RECEIVED CLASSIFIED BY SECTOR

Sectors	Number
Territorial	6
Municipal	1
Private	9
Federal	2
Others (unclassified sectors in the legislations/frivolities, futile/bad faith/	1
Total	19

TABLE 5**ADMISSIBLE AND INADMISSIBLE CONCERNS CLASSIFIED BY SECTOR**

Sectors	Admissible	Inadmissible	Total
Territorial	6	0	6
Municipal	1	0	1
Private	5	4	9
Federal	2	0	2
Others (unclassified sectors in the legislations/frivolities, futile/bad faith/	0	1	1
Total	14	5	19

8.2. INUIT LANGUAGE PLANS

The *Inuit Language Protection Act* (ILPA) requires that private sector organizations, municipalities, and federal departments, agencies and institutions in Nunavut offer their communications and services to the public in the Inuit language. Such communications and services include signs, posters, commercial advertising, and reception and customer/client services.

As of March 31, 2022, we have received 19 Inuit language plans, of which 7 have been approved and 12 are on an ongoing process. We evaluate each plan and any requests for accommodations or for information.

As the Inuit language plan is not mandatory, we encourage organizations to write one and we assist them with the planning and implementation of their Inuit language plan. Such a plan is a useful tool; it allows organizations to plan future actions that are necessary for compliance with the *Inuit Language Protection Act* and will help them manage their compliance.

9. BUDGET REPORT

Statement of budgets and expenditures

THREE-YEAR COMPARATIVE SUMMARY

	2023–2024	2022-2023	2021-2022
Budget	\$1,290,000	\$1,290,000	\$1,290,000
Expenditures			
Salaries	776,627	625,705	616,048
Casual wages	59,717	31,024	74,966
Travel and transportation	925	2,396	3,026
Materials and supplies	14,610	10,001	8,385
Purchased services	5,309	12,006	28,838
Utilities	0	0	0
Service contracts	256,686	264,097	204,556
Fees and payments	1,600	4,994	8,462
Other expenses	0	0	0
Tangible assets	0	7,339	0
Computer hardware and software	800	10,683	5,543
Total expenditures	1,116,273	968,245	949,824
Operating surplus (deficit)	173,727	321,755	340,176



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Uqauhinut Kamisinaup Havakvia Nunavummi
Office of the Languages Commissioner of Nunavut
Bureau du commissaire aux langues du Nunavut

Iqaluit October 26, 2023

The Honourable Anita Anand, P.C., M.P.
President of the Treasury Board
90 Elgin Street, 8th floor
Ottawa, ON K1A 0R5

Re: Federal language obligations

Dear President:

I am following up on my letter of July 22, 2022, to the Honourable Mona Fortier, former President of the Treasury Board addressing a complaint my office received respecting the language bonus offered to Government of Canada employees.

With respect to the bilingual bonus, an Inuit employee of the Government of Canada complained that they were not entitled to a bilingual bonus despite knowledge and fluency in Inuktitut being a requirement for the position. This bonus is provided to English and French language speakers under the current National Joint Council Directive. We asked that the Treasury Board consider extending an equivalent bonus to Inuktitut-speaking Government of Canada employees in Nunavut when Inuktitut is a requirement of their positions. We did not receive a response.

I must note that this is not the first complaint received by my office respecting communications and services from the Government of Canada. The various complaints have highlighted the need for a government-wide policy respecting the use of Inuktitut in Nunavut, where Inuktitut is the language used by most Nunavummiut.

Canada is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). UNDRIP recognizes Indigenous language rights and requires States to take measures to promote Indigenous language rights. The UNDRIP Act came into force on June 21, 2021, affirming the Government of Canada's commitment to, amongst others, prepare and implement an action plan to achieve UNDRIP's objectives. This action plan is to include measures to address injustices and eliminate discrimination against Indigenous peoples.

Indeed, the treatment of Government of Canada employees who satisfy an Indigenous language requirement is unjust. This practice further has the effect of devaluing Indigenous languages and thereby undermining the objectives of UNDRIP.

As mentioned above, this is but one complaint the Office of the Languages Commissioner of Nunavut has received in recent years. These complaints illustrate the barriers that Inuktitut speakers experience when accessing services or obtaining information from the Government of Canada. Prioritizing hiring Inuktitut speakers in positions that provide services to the public in Nunavut is an essential and effective measure that will ensure better and meaningful access to government services for Nunavummiut.

The Government of Canada recognizes, in the *Indigenous Languages Act*, that Indigenous languages are central to the identities and cultures of Indigenous peoples. The preamble also acknowledges the harmful effects that discriminatory government policies and practices, including assimilationist policies, have had on Indigenous languages in Canada.

The combined impact of policies such as the language bonus and the historical assimilationist policies is tangible. Statistics Canada has recorded an ever-declining rate of Nunavummiut who identify Inuktitut as their first language. Fewer Nunavummiut use language at home or work. Moreover, the number of individuals who use Inuinnaqtun has declined sharply and, according to Statistics Canada, could disappear altogether in two generations.

It was, moreover, with a view to ensuring the vitality and sustainability of the Inuit Languages and culture that the *Nunavut Act*, SC 1993, Ch 28 delegated law-making powers to the Government of Nunavut, particularly with respect to the preservation, use and promotion of Inuktitut. In 2008, the Government of Nunavut enacted the *Inuit Language Protection Act* (ILPA) pursuant to this delegated power.

Section 3 of ILPA sets out obligations that are on every organization, including federal departments, agencies, and institutions. Pursuant to this provision, the federal government must display signs and posters in Inuktitut, as well as in English and French, and must provide reception services and client services offered to the general public in Inuktitut. The complaints received by the OLCN show that the federal government departments and agencies communicating with Nunavummiut are failing to offer communications in Inuktitut. This has resulted in Nunavummiut being denied access to basic government services and has limited their understanding of their obligations when, for example, dealing with the Canada Revenue Agency.

Senator Cormier raised the Government of Canada's failure to provide certain services in Inuktitut in Nunavut. Nunavut is unique to all of Canada as most of its population is Inuit, and Inuktitut is their primary language. Senator Cormier further asked how the Government of Canada intended to meet its obligations under ILPA.

It is imperative that Government of Canada policies, including the bilingual bonus, align with Canada's UNDRIP obligations and its undertakings in the *Indigenous Languages*

Act to safeguard and promote Indigenous languages. The Treasury Board has a central role in designing policies and directives that will enjoy government-wide implementation.

I would happily meet or call you to discuss this concern further.

Sincerely,



Karliin Aariak
Languages Commissioner

cc.

- The Honorable Joelle Kaerner, Minister of Languages
- Senator Rene Cormier
- Aluki Kotierk, President of Nunabut Tunngavik Inc.