



**Submission to the House of Commons Standing Committee on
Indigenous Languages and Northern Affairs**

Re: Indigenous Languages Study

The *Indigenous Languages Act* is an opportunity to celebrate the broad diversity of Indigenous languages as a function of Canada's cultural heritage. Unfortunately, I have not noticed any impact of the *Act* on Indigenous languages in the Northwest Territories since it has come into force. I believe that with the right focus there is a sufficient basis in the *Act* to assist the reclamation, revitalization, maintenance, and strengthening of Indigenous languages in the Northwest Territories and throughout Canada.

In my role as the Official Languages Commissioner for the Northwest Territories, I have not seen any impact on Indigenous languages since the coming into force of the *Indigenous Languages Act*¹ (the *Act*). I am unaware of any new funding made available under this *Act* to support the reclamation, revitalization and strengthening of Indigenous languages in the territory.

The federal government has much room to realize the purpose of the *Act* by targeting their forthcoming efforts under the *Act*, by embracing a cultural focus to language learning and modifying the scope of the Office of the Commissioner of Indigenous Languages. In

¹ *Indigenous Languages Act* S.C. 2019, c. 23 (*ILA*)

this light, I provide two recommendations for the improvement of the *Act* and its implementation. First, to truly strengthen Indigenous languages, I recommend engaging best practices for Indigenous languages learning as presented in the research from the Assembly of First Nations, namely culturally-appropriate language learning. Second, I recommend that the Office of the Commissioner of Indigenous Languages be broadly engaged in Indigenous language rights in any complaint related to Indigenous languages. Taking this approach will provide the best chance to attain the *Act's* purposes of supporting the efforts of Indigenous peoples to reclaim, revitalize, maintain and strengthen Indigenous languages, including their efforts to support Indigenous languages learning.

Recommendation #1: Culturally Appropriate Language Learning

The *Indigenous Languages Act* champions language strengthening and revitalization as a core principle of reconciliation and as part of Canada's commitment to implementing the *United Nations Declaration on the Rights of Indigenous Peoples*². As reconciliation and in line with article 14(1) of *UNDRIP*, language instruction must embrace best practices for teaching and learning of *Indigenous* languages, and therefore be provided in culturally appropriate ways. The flexible approach in the *Act's* preamble points to the unique circumstances and needs of the diverse cultural landscapes of Indigenous Canada. In order to give effect to this, Indigenous languages funding should be provided

² United Nations Declaration on the Rights of Indigenous Peoples A/Res/61/295 on September 13, 2007 (*UNDRIP*)

directly to the Indigenous Governments so they can create programs that are best suited to their communities.

The Assembly of First Nations *Final Report on Teaching and Learning First Nations Languages in Different Locations and Locales*³ speaks to best practices for Indigenous languages learning. The report states that “First Nations languages subscribe to different worldviews and, subsequently, different approaches to knowledge which are not reflected in colonial ways of teaching and curricula. Accordingly, teaching and learning of different First Nations languages should apply different approaches and be grounded in culturally appropriate frameworks in order to be relevant and suitable.”⁴ In the Northwest Territories, I am aware that Indigenous communities struggle to maintain funding for Indigenous languages training when culturally relevant training modalities are used.

Many funding models require that language learning be separated from cultural activity. In my role as the Official Languages Commissioner of the NWT, I have heard frustration about funding models that require the removal of cultural activities in order to qualify for territorially-monitored (though sometimes federally-funded) language grants. The reality is that Indigenous languages learning is most effective when combined with cultural practice.

³ Assembly of First Nations (2022). *Final Report on Teaching and Learning First Nations Languages in Different Locations and Locales* at https://www.afn.ca/wp-content/uploads/2022/02/AFN-Archipel-Language-Learning-Report_ENG.pdf (AFN)

⁴ *Ibid.* at p. 26

Indigenous languages funding models do not currently embrace this best practice. Culturally-connected, ceremonial-focused, and land-based language learning are successful models for Indigenous language education.⁵ I recommend that the Government of Canada increase the funding available under the *Act* and fund Indigenous Governments directly. The best opportunity for culturally appropriate language learning comes from the local Indigenous Governments who can naturally structure their language programs to conform to best practices in Indigenous languages learning. By increasing Indigenous languages funding, such that it is on par with French and English funding, Indigenous Governments across Canada can create the culturally appropriate programs necessary to ensure successful Indigenous languages revitalization and survival.

Recommendation #2: Broadening the Role of the Office of the Commissioner of Indigenous Languages

In the Northwest Territories, funding has been available to Indigenous communities and organisations for language training purposes through the *Indigenous Languages Action Plan*⁶ since 2018. Through their agreement with the Department of Canadian Heritage⁷, the Government of the Northwest Territories has funded Indigenous Governments and

⁵ *Ibid.* at p. 27

⁶ Government of the Northwest Territories (2018). *NWT Indigenous Languages Action Plan: A Shared Responsibility* at https://www.ece.gov.nt.ca/sites/ece/files/resources/nwt_indigenous_languages_action_plan.pdf.

⁷ Canadian Heritage funds \$5.9 million of the NWT's \$21 million Indigenous Languages Action Plan.

organisations to provide Indigenous languages training. This nature of blended funding not only results in the lack of culturally appropriate language learning models discussed above, it also creates confusion about the availability of the Office of the Commissioner of Indigenous Languages as a resource to Indigenous communities on matters related to Indigenous languages.

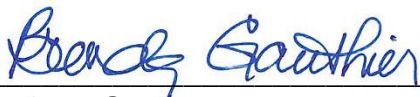
I therefore recommend the Standing Committee work to broaden the role of the Commissioner's Office to hear complaints and provide support in *all* cases related to Indigenous languages, regardless of the funding source. As written, the *Act* confers on the Commissioner's Office the right to review complaints only as they relate to Government of Canada obligations or funding.⁸ In order to avoid confusion related to its role, I recommend that the *Act* expand the powers to the Office of the Commissioner of Indigenous Languages to review all complaints related to Indigenous languages.

To give effect to this change the powers of the Office of the Commissioner of Indigenous Languages under section 27 of the *Act* could be expanded beyond the provisions of section 26 that limit its power to reviewing complaints only in matters related to Government of Canada funding and obligations. While the reports and recommendations in section 27(2) of the *Act* could continue to be limited to the cases in section 26 of the *Act*, the Commissioner's Office could review and offer dispute resolution and public awareness services for all complaints related to Indigenous languages. In doing so, the

⁸ *ILA*, *supra* note 1 at s. 27(1).

Office could fulfill its mandates of offering support and promoting public awareness of the “inseparable link” between Indigenous languages and cultures.

In closing, it is my sincere hope that the lack of noticeable impact from the *Indigenous Languages Act* can be corrected based on the feedback provided to the Standing Committee for their Indigenous Languages Study. By directing increased funding directly to Indigenous Governments, culturally appropriate language learning can occur across Canada. Broadening the scope of the Office of the Commissioner of Indigenous Languages will create a strong source for Indigenous languages protection and education. These incremental changes will help Canada reclaim, revitalize, maintain, and strengthen its Indigenous languages.



Brenda Gauthier
Languages Commissioner of the N.W.T.
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