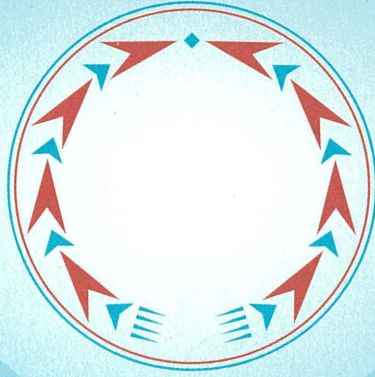
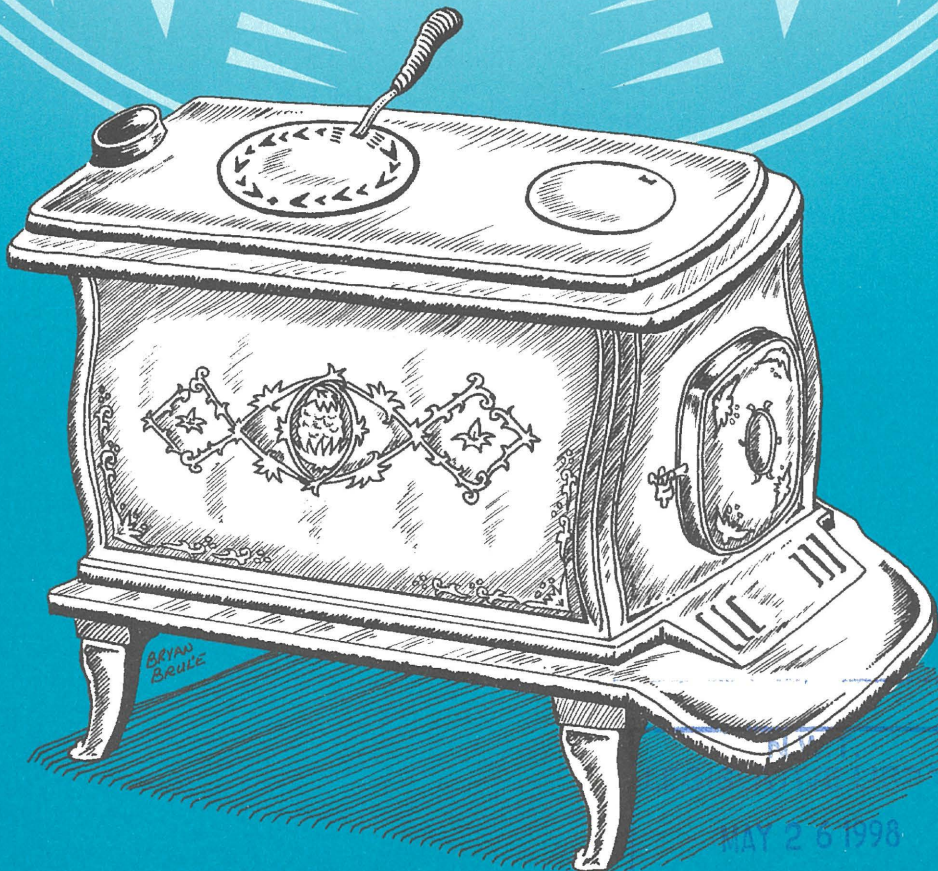


Annual Report 1996/1997



Languages Commissioner
of the NWT



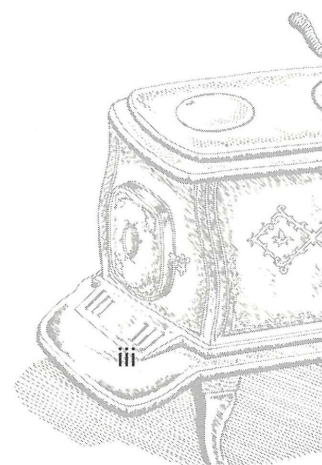
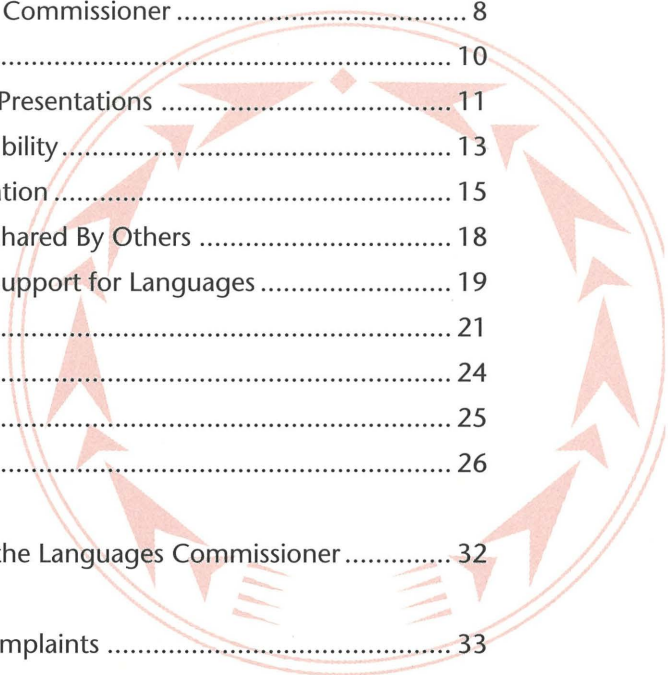
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Yellowknife, N.W.T.



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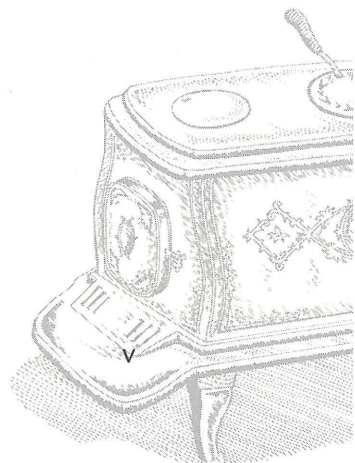
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The official logo of the Languages Commissioner's Office symbolizes the eight Official Languages of the Northwest Territories – Chipewyan, Cree, Dogrib, English, French, Gwich'in, Inuktitut (including Inuinnaqtun and Inuvialuktun) and Slavey (including North and South). The arrows focus on the diamond, for just like a diamond, the languages of the north are unique, precious and rare. The points of the arrows reflect the struggle to promote, protect and preserve our cultures through the continuing usage of our languages. The circle is a powerful symbol for the strength and protection of all the language groups working together.





Reflections

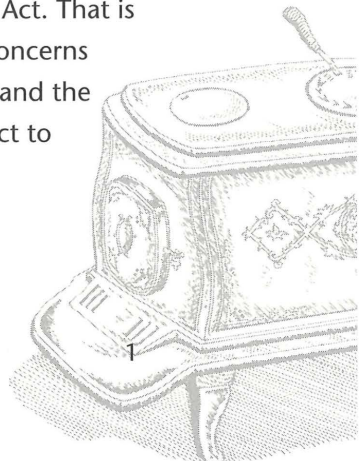
from the Languages Commissioner



On June 1, 1996 the Legislative Assembly appointed me as Languages Commissioner of the Northwest Territories. When I began my mandate, I realized how much work had been done by my predecessor. The setting up of the Office, the establishment of guidelines on complaints investigations, an adequate and fully operative database system for complaints and inquiries management, a resource center and trained staff have been a tremendous help to me. I own a debt of gratitude to my predecessor, Betty Harnum.

Our *Official Languages Act* makes us unique in the Territorial landscape and around the world. With this Act, we have an opportunity to show what can be accomplished when we value our different viewpoints and experiences, when we listen to what others have to say, and when we work together to find solutions that will work.

The Official Languages Act seeks to provide a linguistic safety net by ensuring that citizens are able to deal with government in any of the Official Languages of the NWT as provided for in the Act. That is why there is a constant need to hear the views and the concerns of the citizens, and to explain the Official Languages Act and the role of this Office to them. Part of my job is to take the Act to the people.



Reflections

The Year of Promotion

My first year has been focused on promotion and consultation. As you will read in my report, my Office produced a number of new promotional items. This was an important objective for me. The Office of Languages Commissioner has to be more well known and accessible to the citizens of the NWT. The creation of a Web Page and the production of a newsletter are only two examples of promotional materials initiated by me.

My year of traveling throughout the Northwest Territories has given me insight. It has given me the opportunity to share concerns and issues with linguistics groups, teachers, government officials and so on.

This also gave me the opportunity to evaluate the health of languages. Is the language and culture alive at home? At school? How are communities keeping their language alive? Are the communities working together as a whole to meet the changes that are happening in their communities in language and culture? Are they lobbying for more literacy training for adults or GNWT employees?

My consultations allowed me to notice some very exciting places. For example, in Lutsel k'e, you can see a community making an effort with their language. Wherever you look, signs at the band office, signs on the streets, even exit signs, are in Chipewyan. Another exciting way of communities trying to preserve their language is the Elders Society, as in Igloodik. The elders are the cornerstone to survival of a language.

If the elders are the cornerstones, then the youth are the building blocks to ensure the preservation of a language. This combination will result in a strong solid foundation for future generations of fluent speakers to protect their languages.

As I explain very often to the public, it is part of my vision to encourage people to understand the importance of Official Languages and their significance to the ongoing development and preservation of culture and heritage. A community that is strong with its language is a community that is going to survive.

Reflections

The GNWT and the Promotion of the Official Languages

In my travels, I do not hear enough regarding promotion, development, preservation and protection of Official Languages.

All the indications that I have seen and heard are that language issues are not a priority for the GNWT. The government has a responsibility, as legislated, to provide those services and resources for refinement, for respect of the languages. The Languages Commissioner cannot be the only source of preserving, protecting and promoting. The lack of a clear promotional agenda from the whole GNWT regarding the Official Languages Act is disappointing. The government must be active. This is why I will recommend that the GNWT develops a promotional plan regarding Official Languages in the North.

Another observation I made during the year is the feeling of fear of "rocking the boat" about language rights. The fear of saying exactly what the state of a language is in a community. People are quiet. As you will note in the statistical review, citizens of the North have not complained much to this Office during the fiscal year 1996-97. Answers to these observations are not easy. Is it because they feel shame? Is it because they say "we are going to lose it anyway, why fight?" Is it because division is upon us? Is it because communities are too busy with land claims negotiations, constitution talk or community empowerment? Also, we have to admit that the absence of a Languages Commissioner during four months in 1996 did not help with the complaints process.

Besides promotion, partnership could be a powerful tool to strengthen our languages. As YK North MLA Roy Erasmus mentioned in the Legislative Assembly, "Partnership is very crucial for success." Everyone needs to feel that they are part owners of a decision being made for success. People have to come together as a group to be responsible for promoting, protecting and preserving the use of languages.



One of the intentions of the Official Languages Act is to recognize the prime importance of language in preserving the cultural aspirations of Aboriginal people. The Official Languages Act is the first building block to achieving that. But only if we in the Territories work together on this, only if we support each other, will the preservation and enhancement of Aboriginal languages become a reality. This is why I am encouraging mutual cooperation and respect amongst all language groups in the NWT.

Reflections

Winds of Change...

There is no doubt that the Northwest Territories is living one of the most challenging periods in years. Within a very few months, we will see the division of the NWT, the creation of Nunavut in the East and a new territory in the West. In addition, we will continue to see the transfer of services to local communities through community empowerment and the privatization of many services. All of this is occurring in a period of fiscal restraint. The impact on languages is tremendous.

Do community empowerment and privatization mean government has no responsibility? No obligation? Does transferring responsibilities to the communities release the GNWT from promoting, enhancing and protecting Official Languages? In a comment made at the Legislative Assembly in 1995 concerning the Annual Report of the Languages Commissioner, members of a Standing Committee said clearly, "The GNWT should not use these transfers to free themselves from their legal obligations under the Official Languages Act, and they must make these obligations clear, if and when services and programs are transferred." So far, I am still waiting for these guidelines related to transfers.

While maintaining adequate resources to meet their legal obligations, the government's role is one of support for language promotion, which cannot be achieved without material or monetary assistance. Government assistance in safeguarding and promoting language is a starting place for the revitalization of the Aboriginal community.

The government must set guidelines to ensure that Aboriginal languages are safeguarded and promoted without depriving the aboriginal peoples of their prerogatives and responsibilities in this domain.

These guidelines should be based on participation, partnership, working together, diversity, flexibility, continual dialogue and exchange.

The privatization of the Language Bureau and the transferring of the Official Languages Unit to Education, Culture & Employment did not help language issues in the North. Fourteen years after the adoption of the *Official Languages Act*, the government tabled the first policy and guidelines on Official Languages. We are still waiting for an implementation plan. Is there a liaison for the GNWT in each community to report back on what and how implementation is happening? As Languages Commissioner, it is disappointing to wait so long for simple information such as what are the roles and responsibilities of the languages coordinators for each department, agency and board. What is the plan to ensure the quality of Interpreting and Translating services now that the privatization of the Language Bureau has occurred? Has the GNWT put languages on the backburner?

Although the Act's first key objective for Aboriginal languages is "their preservation, development and enhancement", no clear provision for this is made with the unique circumstances of small, declining, oral language communities.

During an Aboriginal Languages Conference held in Yellowknife in 1991, one of the organizers said, "We need to strengthen our own commitment to Aboriginal languages. We must involve our Elders for their essential knowledge and level of language. Aboriginal people must take back control of Aboriginal languages and find ways to determine our needs ourselves." Seven years later, where are we?

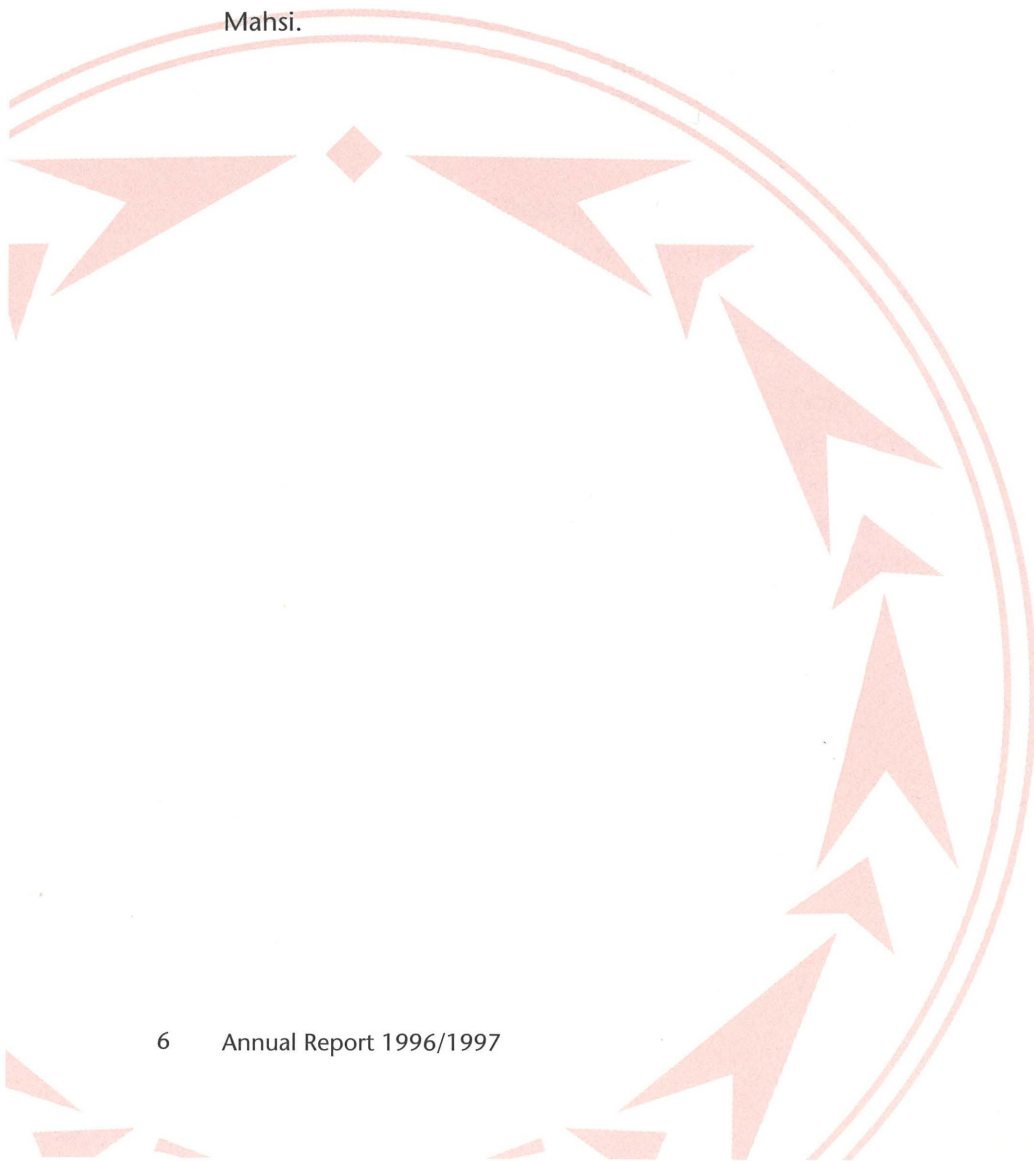


I wish I could say that the GNWT has made major progress regarding of Official Languages. Now it is almost the eleventh hour for some of the aboriginal languages in the NWT and steps must be taken immediately to protect the cultural and linguistic heritage of NWT's aboriginal nations that seek government help and support. It is not the time to put the language on the backburner.

In conclusion, I would like to give special thanks to the staff at the office, to our legal counsel Shannon Gullberg, the staff of the Legislative Assembly, the GNWT, organizations and groups, and the public for their cooperation since I started my mandate.

I would like also to thank and commend all the volunteers and citizens involved in languages issues and encourage them to continue. With their hard work and dedication these people are making sure that language is a priority in their community and that it does not sit on a backburner.

Mahsi.



Vision

Mandate, Goals and Core Business

Vision

A deep awareness within communities, families and government structures of the importance of official languages and their significance to the on-going development of culture and heritage – and a commitment to their use in day-to-day community life and in areas of the workplace.

Mandate

To assist in the preservation, promotion and protection of the official languages of the Northwest Territories and to ensure that GNWT departments, boards and agencies comply with the intent and spirit of the Official Languages Act through the spirit and intent as legislated.

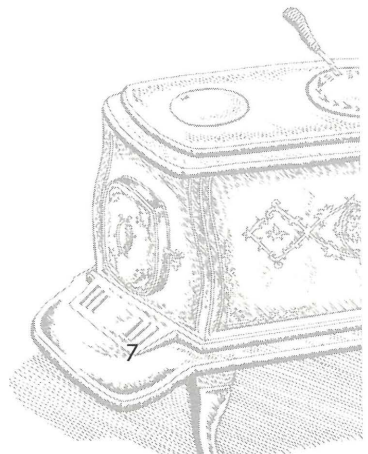
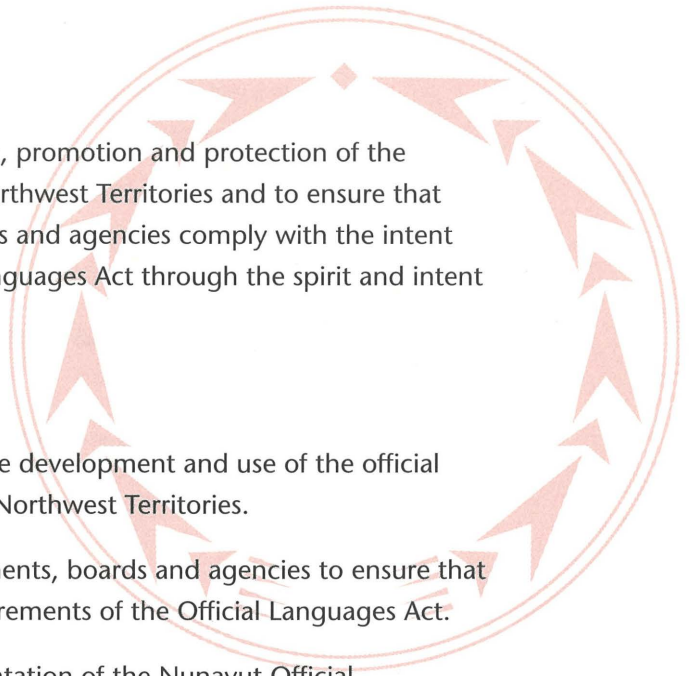
Goals

To support and promote the development and use of the official languages throughout the Northwest Territories.

To monitor GNWT departments, boards and agencies to ensure that they comply with the requirements of the Official Languages Act.

To assist with the implementation of the Nunavut Official Languages Act.

To assist with the review of the Official Languages Act for the Western Territory.



Core Business

The Office of the Languages Commissioner carries out its mandate by:

- Promoting the use of official languages throughout the Northwest Territories.
- Conducting research to determine the use of official languages and assess their relative health and vitality.
- Providing support and consulting assistance to initiatives aimed at fostering the development, preservation and use of official languages.
- Monitoring the use of official languages within GNWT departments and agencies to ensure their compliance with the spirit and intent of Official Languages Act.
- Handling complaints and conducting inquiries about the use of official languages.
- Negotiating and mediating to resolve problems around language issues.

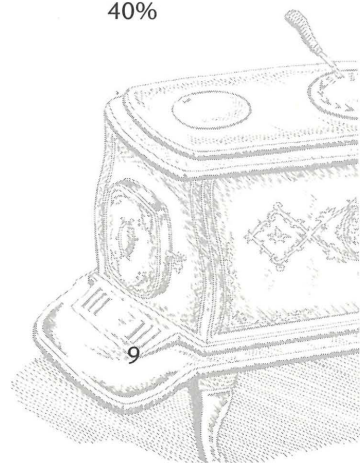
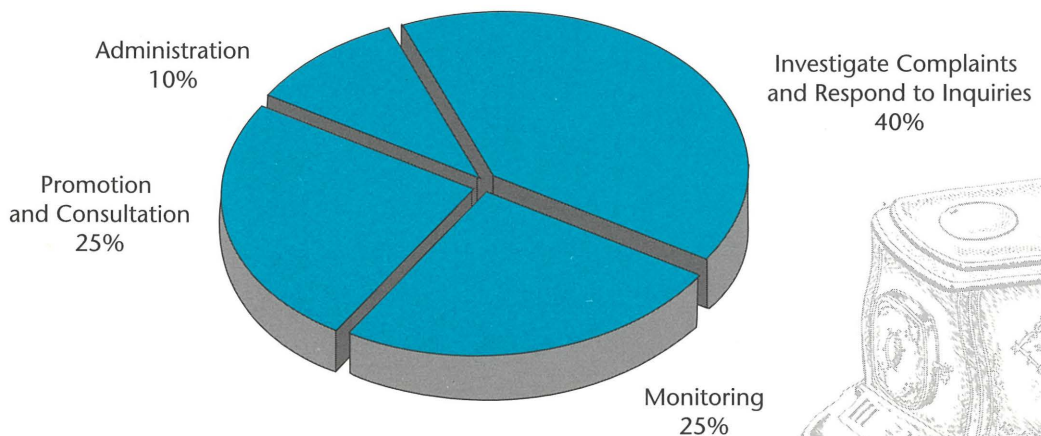
Functions of the Languages Commissioner

The primary purpose of the Languages Commissioner lies in providing impartial investigations on behalf of citizens who feel unfairly treated through the action of departments, board or agencies of the Government of the Northwest Territories. The Languages Commissioner can conduct investigations on her own initiative in addition to those undertaken pursuant to complaints. The Office of the Languages Commissioner also assists citizens by referring them to the appropriate contact when the complaint is outside the Languages Commissioner's jurisdiction to investigate.

As illustrated in Figure I, the Languages Commissioner has four main duties.

- 1 Resolving complaints that a person's rights have been infringed or denied.
- 2 Monitoring language services and programs of the GNWT to ensure they adequately meet the obligations set out in the Official Languages Act.
- 3 Promoting Official Languages to increase public awareness of the importance of language and consulting representatives of each Official Language to solicit their advice related to language in the North.
- 4 Administering the Office with the support of the Legislative Assembly.

Figure I – Languages Commissioner's Duties



The Year of Promotion

Promotion is fundamental to communicating the success of the present and future planned activities and projects to the public. There is a need to take every opportunity to encourage and support the use of languages everywhere and to demonstrate that it is acceptable to speak and promote the language. Languages will not survive unless they are used in all environments and are a priority in the home, in the community and by the GNWT through the newspaper, media and computers, etc.

One of my first priorities has been to develop more promotional items to be distributed among linguistic groups and youth in the school. The task of promotion is to make the public more knowledgeable about your office. This in turn has an impact to improve the information distributed. In a sense, 1996-97 has been the year of promotion for this Office.



Languages

Commissioner's Presentations

Places where the Languages Commissioner traveled or made presentations in 1996-97.

1996

July

- Metis Nation Annual Assembly – Inuvik.
- Conference of Canadian Election Officials – Yellowknife.
- Treaty 8's Annual General Assembly – Lutselk'e.

1996

August

- The Dogrib Treaty 11 Assembly – Rae Edzo.
- The Gwich'in Tribal Council meeting – Ft McPherson.
- Dene National Assembly – Ft Resolution.
- Sahtu Secretariat's Annual General Assembly – Tulita.

1996

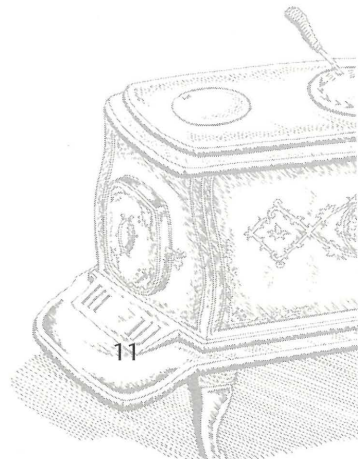
September

- Meetings with Commissioner of Official Languages – Ottawa.
- Meetings with Ombudsman Quebec, Ontario, Alberta – Montreal, Toronto and Edmonton.

1996

October

- Kitikmeot Leaders Forum – Cambridge Bay.
- FFT's Annual General Meeting – Yellowknife.
- Nunavut Tunngavik AGM – Baker Lake.



1996

November

- NTI Leadership Meeting – Baker Lake.
- National Conference on Education sponsored by the Assembly of First Nations – Winnipeg.
- FFT Education Symposium – Yellowknife.
- Dene Subject Advisory Committee Meeting – Yellowknife.

1996

December

- Inuktitut Subject Advisory Committee – Yellowknife.

1997

January

- Inuktitut Language week – Igloolik.
- Meetings – Aurora College/JBT Elementary and PW Kaeser High School, Uncle Gabe's Friendship Centre – Fort Smith.

1997

February

- Aboriginal Education Conference – Victoria.
- Sahtu Youth Conference – Tulita.
- The Fort Smith Health Board – Fort Smith.

1997

March

- The First Nations Confederacy of Cultural Education Centres Meeting – Toronto.
- The Public Forum on the Report of the Royal Commission on Aboriginal Peoples – Banff.
- The Sahtu Regional Community Justice Conference – Deline.
- Literacy Conference – Yellowknife.

Accountability and Responsibility

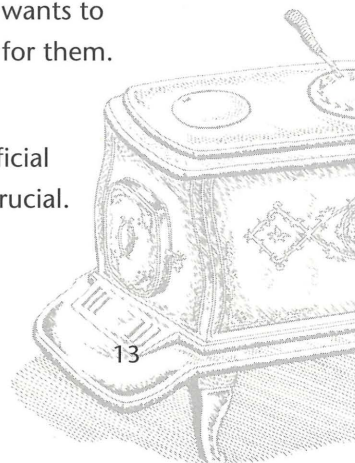
The idea of holding all public officials answerable for their conduct of public business is fundamental to all governments. In the NWT, the heart or core of the accountability system is the responsibility of Ministers to the Legislative Assembly and the accountability of Deputy Heads to Ministers. However, the principles and practices of ensuring the public accountability of public officials have become so widely acclaimed and so well known that too often they are taken for granted.

Definitions and meanings of accountability are numerous. Most people agree that one of the major purposes of an accountability system is to ensure responsive and effective government. In 1979, the Royal Commission on Financial Management and Accountability stated that, "Accountability is the fundamental prerequisite for preventing the abuse of delegated power and for ensuring, instead, that power is directed toward the achievement of broadly accepted national goals with the greatest possible degree of efficiency, effectiveness, probity, and prudence."

To speak of accountability is to speak of responsibility. As Gerald E. Caiden explained, these terms need to be differentiated, although in normal use they are used interchangeably. "To be responsible is to have the authority to act, power to control, freedom to decide, the ability to distinguish (as between right and trustworthiness in exercising internal judgment). To be accountable is to answer for one's responsibilities, to report, to explain, to give reasons, to respond, to assume obligations, to render a reckoning and to submit to an outside or external judgment."¹ Overall, public officials are answerable to the population for the appropriateness of their choices, for the effectiveness of their decisions in light of standards of administrative justice.

The people want the services to which they believe they are entitled and they want the services to be top quality. When services are not top quality, they want explanations. The ordinary citizen wants to know how services are organized and who is responsible for them.

In the NWT, with our *Official Languages Act* and a policy providing guidelines for the delivery of services in the Official Languages to the public, the question of information is crucial.



As Caiden explained, "Unless the public knows what governments do, public officials cannot be held accountable for their actions. Open government and the public's right to know are basic to ensuring public accountability." The obligation to account for responsibilities clearly established that it is the right of the citizen to know what government intends to achieve on behalf of its citizens and how well it has met its intentions.

The government has to enhance the quality of public services and strike a fair balance between the need to save money and the need not to compromise languages rights.

To assess government performance fairly, legislators and the public need information about the intended and actual results for the range of government activity. Therefore, government should report publicly about how they have complied with the *Official Languages Act* and the policy and guidelines governing the activities of government.

As the government does in other fields, a comprehensive accountability framework – a way of specifying how accountability will be served – should be developed to guide all levels of governance in languages issues.

The GNWT should hold individuals and units responsible for performance measured as objectively as possible. Achievement should depend upon identifying or establishing accountable units within the government where output can be measured against criteria, and where individuals can be held personally responsible for their performance.

It should address the following issues:

Who is Accountable to Whom? Accountability should be comprehensive in its scope; that is, it should apply to Ministries, Agencies and Boards, as well as to government as a whole.

Accountable for What? Government should be clear about its intentions, its objectives and strategies and the actual results achieved. Government should make sure the citizen knows what his linguistic rights are.

1. Gerald E. Caiden, "Ensuring the Accountability of Public Officials" in *Public Service, Accountability: A Comparative Perspective*.

Empowerment and Privatization

In these days of government restraint and downsizing the issue of privatization creates challenges for an ombudsman-type office, like the Office of the Languages Commissioner.

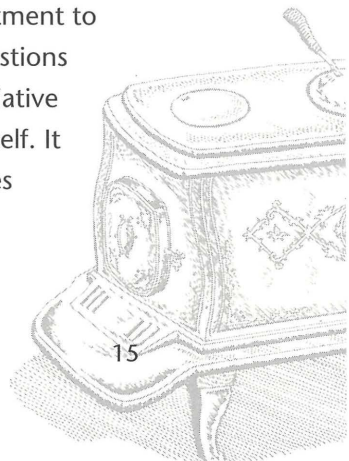
To understand the effects of privatization on Ombudsman jurisdictions, it is important to define what is meant by privatization. There are as many definitions and forms of privatization as there are authors on the subject. In 1997, during the National Conference of Canadian Ombudsman in Saskatchewan, Dr. John Allan of the University of Regina presented an excellent paper explaining the three most common forms of privatization: divestiture, devolution, and contracting out.¹

Divestiture, he explained, occurs when a public authority entirely relinquishes ownership control and management for a service or program. This is the most extreme form of privatization in which the public authority rids itself entirely of the service because it no longer has an obligation to provide it. The authority has determined that the service is not legally required and that it is not implicitly essential to its work.

Devolution occurs when a service or program is not specifically required under the law, is not inherently a responsibility of the public authority, does not require the authority's control or management and where the service or program may have other clients than the authority.

In contracting out or outsourcing, possibly the most common form of privatization, a public authority contracts a public service or program to an external agency and maintains a degree of control by stipulating certain requirements in a contractual document. The external agency can range from a private corporation, a non-profit society or to an individual contractor.

These kinds of privatization raise questions for the Office of the Languages Commissioner. If we add the GNWT's commitment to implement the Community Empowerment Initiative, questions become even more serious. In its simplest terms, this initiative means increasing a community's ability to take care of itself. It was passed by Cabinet to ensure support for communities



wishing to take on responsibilities – services, facilities, equipment and programs – currently delivered by the GNWT.

The contracting out option or the empowerment initiative could have serious impact on my jurisdiction and approach to a complaint. We know that a contracted agency is an agency providing a service under contract with a department, agency or board of the GNWT. The question to be answered is, can an authority avoid our jurisdiction by contracting services out to a contracting agency?

Another question raised by these changes is public accountability for the service delivered by a contractor. As Gerald E. Caiden wrote, “Where governments do not wish to carry out their activities directly, they contract them out to other organizations. Government by contract is increasingly popular, as it relieves large areas of day-to-day management from the overburdened machinery of government...” At the end of his analysis, he concluded that... “Not much progress can be recorded in improving public accountability in government contracting, particularly with increasing pressures to contract out more and more government activities to the private sector.”²

The whole effect of privatization on a Ombudsman-type office has created a lot of reflection among my Canadian colleagues. Recently, Ms. Roberta Jamieson, Ombudsman for the province of Ontario further wrote,

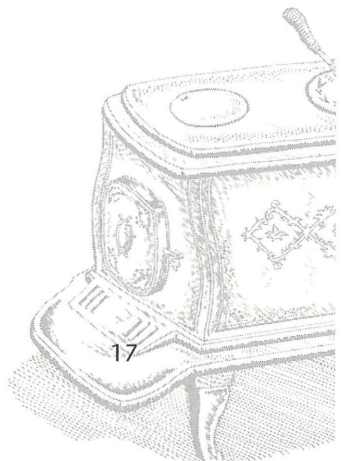
“...Today, government is maintaining jurisdiction, maintaining control, but placing the administration of services in the hands of the private sector. This has the effect of keeping direct control close at hand, but placing accountability at arm’s length – out of reach of both the public and the Legislature. The problem is that private sector is not subject to provisions regarding conflict of interest, access to information, privacy restrictions, provincial auditors, etc. Whether a public service is provided by the government or the private sector, whether a sector is publicly – regulated or self-regulated, whether we speak of a bureaucratic agency or the police the people’s right to complain – and to an independent investigation of the complaint if it is not resolved satisfactorily in the first instance – must be preserved.” The fundamental, she

concluded, "Is that a basic feature of democracy is that individuals who believe they have been treated unfairly in the provision of public services must have access to an effective complaints procedure with an independent mechanism of last resort for unresolved complaints."³

Harley Johnson, the former Ombudsman for Alberta, wrote, "I am absolutely convinced that a watchdog function is required to ensure that government services are provided in a fair and equitable manner. It does matter whether the service is provided by a line department, agency, commission, tribunal or a private contractor. If no watchdog or appropriate appeal exists on complaints about out-source services, then the concept of accountability is at best watered down, or at worse, non-existent."⁴

At the time of writing this annual report, I received a complaint about community transfer over which my jurisdiction to investigate has become unclear. For that reason, next year, I intend to examine privatization and Community Empowerment Initiative, so that accountability and complaint-handling is an explicit and integral part of the new scheme.

1. Dr. John Allan, *Privatization: Its Effect on Ombudsman Jurisdiction*, Regina, 1997.
2. Gerald E. Caiden, *The Problem of Ensuring the Public Accountability of Public Officials*.
3. Roberta Jamieson "Notes for Remarks on the Panel on Privatization and the Ombudsman", *National Conference of Canadian Ombudsman*, 1997.
4. Harley Johnson, *Office of the Ombudsman of Alberta, Annual Report*, 1995.



Empowerment

Privatization Concerns Shared By Others

Stephen Owen, former British Columbia Ombudsman (1986-91),
on privatization, accountability and the Ombudsman:

"An ombudsman office is established as an independent quality control mechanism to balance the market power of the public sector.

Where public services are delivered privately, government must ensure that private sector firms are equally accountable to individual members of the public for quality. While private delivery contracts must be monitored and enforced by government through general cost and quality controls, methods must also be in place to resolve individual complaints. Private contracts negotiated with government should therefore provide explicitly for access to the ombudsman office by individual users in order to ensure quality control over the public services which are being privately delivered."

S. Owen. "The Ombudsman: Essential Elements And Common Challenges" in "The Ombudsman: Diversity And Development", L. Reie, M. Marshall, & C. Ferris, Eds. (Edmonton: International Ombudsman Institute, 1993).

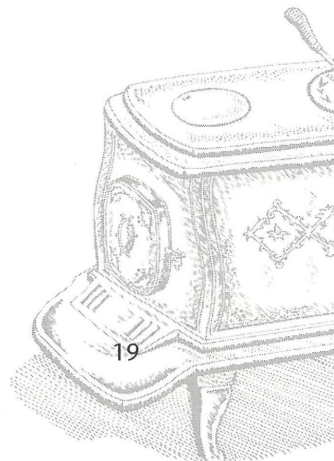
Wellness

and Government Support for Languages

One of the government's visions in the NWT is that we have a healthier, better educated and more self-reliant citizenry who will enjoy a good quality of life. To enjoy a good quality of life, one has to feel good about oneself. Through the Department of Health and Social Services, whose mandate it is to promote, maintain and enhance the well-being of individuals and families in the Northwest Territories, the GNWT has implemented a community wellness strategy that will provide the basis for greater community control of programs and services.

During the first year of her mandate, the Languages Commissioner explained the link between languages and wellness. As indicated in the Languages Commissioner's business plan, the development of language and culture is an essential element for personal identity and social well-being. The government support for Aboriginal languages is rooted in the settled relations of language, personal identity, and economics. There is sufficient evidence that supporting and safeguarding another language is essential to psychological well-being, self-esteem, self-pride and self-respect.

One of the key factors in identifying wellness for the people of the North is their strong sense of their culture and traditions through the speaking of their language. One of the roles that the government must play is to support, assist and advise communities in setting their own priorities and making their own decisions. The government must make resources available at the community level. The community wellness strategy should help place more emphasis on the preservation, promotion, and protection of Official Languages of the Northwest Territories. This will enhance the Official Languages of the North, the self-esteem of communities, and through this it will lead to effective partnerships between communities, local governments and the Government of the Northwest Territories.



The quality of lifestyle, our culture, in the early years was very solid. As we are turning to a new millennium, it is almost the eleventh hour for some of the Aboriginal languages in the Northwest Territories. Steps must be taken immediately to protect the culture and the linguistic heritage of the NWT's aboriginal nations. It is not a time to put language on the backburner.

As communities begin to heal and feel good about themselves, innovative projects will come into place as identified in the 1995-96 Wellness Funding. Language and cultural projects are being integrated into the whole life of the community as a holistic approach to preserve and enhance languages instead of putting language projects as a unit in isolation as has been done in the past.

A good example of this is Trout Lake. This community was funded, in 1995-96, to hold an Arts & Crafts and Slavey workshop. The objective of this project was to integrate the language through the teaching of traditional skills. People are working smarter with what little they have, and through providing strategies, techniques and models of how people can integrate wellness, language will be a very powerful tool in the preservation of the language and the culture.

People need to feel good and in order to do that, and to have as the Government has identified, a good quality of life, people need to know that they are supported. People need to know that there is a light at the end of the tunnel. In order for people to speak their language, they must feel good about themselves. This I feel is an excellent wellness tool for one's good quality of life.

Youth

Youth

The youth of today will shape the future of tomorrow. It is their strength that will keep a language alive in a community. Their view will shape their community in regard to their language. They also shape the value of their language and through this, their own identification as unique individuals.

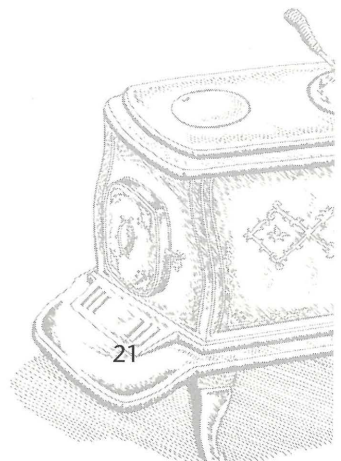
Youth must be made aware of this. This is why I have made them a priority. Through my consultations in the communities, I find, hear and see that the youth are the ones that are going to make it or break it in regard to keeping their language alive.

Statistics concerning the youth of the North speak for themselves. As the 1996 Census indicates, the NWT has the youngest population in Canada. In the Territories, children under 15 years account for almost 32.6% of the population while in Canada it is 20.5%. In Nunavut the percentage is even higher with 38.4% of the population under 15 years of age. In Canada, the strongest increase in numbers of children occurred in BC and the NWT.

These statistics confirm what we already know – that the role and the number of youth in shaping the communities of tomorrow make it essential that the government and communities listen to their concerns and act on their priorities. We can not forget that they are the next leaders in the new millennium.



Grade 6 students at Deh Gah School, Fort Providence.



Youth need to be kept informed of why it is so important for them to speak their language. Through my travels and statistical analysis, I see that it is youth that are going to erode the language. In many communities, youth are taking the route of speaking the assimilated language of English. This has a direct effect on the transgenerational continuity of languages for a given community. This is going to be a great loss.

During my visits in schools or different youth conferences people tell me that they don't see any value in speaking their own language. They do not see any connection to employment, to post-secondary education, etc. The reasons for this attitude are complex. It is my opinion that a lack of information and awareness, notably by the GNWT, are two of the main reasons. Youth must be given information to gain an understanding of why we feel as a society that language is very important, that language is a gift. As Quebec Bar Association President Claude Massé said in February 1997 during a national meeting of the Youth Justice Education, "Youth must be encouraged to question their attitudes, the way they think, the way they behave, in order to gain an understanding of their role and to assume their place in society."



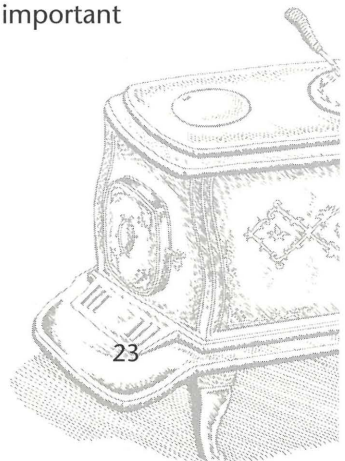
Languages Commissioner with students in Kiilinik High School, Cambridge Bay.

What I tried to explain during the year is why it is so important to value and stand by our principles, traditions and cultures; explain why we need to keep language alive; and why we value language so much. Youth have to be aware that they are carriers of our language, the carriers for the next generation.

As Languages Commissioner, I am very aware of the widening gap between the youth and the elders. This creates problems that can lead to the loss of cultural pride and dignity. The importance of a secure sense of identity can not be developed unless youth are solidly grounded in their aboriginal identity and cultural knowledge. If they are grounded, youth will have a strong and personal resource to develop intellectually, physically, emotionally and spiritually, and will make very strong leaders. They need to know where they are from in order to know where they are going. If someone can be proud of their culture and their contributions as aboriginal young people, the future prospects will be great. As Claude Massé mentioned, "Young people must be equipped to understand their role within the community so they can still fulfill that role when they reach adulthood."

There is no magic recipe that will work in all the communities as we face this challenge but I believe that the two strongest factors that will keep their language alive are through their cultural activities and through their homes. Parents must make a very strong impact on their children and encourage them to speak their language, to be proud of their language and to learn how to protect their language.

Each community must establish their own youth language strategies and literacy training programs in order that they can be the voice of the future. For example, they could take the youth out on the land where it is total immersion and get the whole feeling of why it is important for them to speak their language. We should teach the youth the importance of keeping language alive. Through laughter, through health, through strength in their language, they will become teachers of their language. All of these could be important tools to revitalize the language.



Finances

Our Financial Outlook

Each year, the Languages Commissioner brings and defends her budget for the year ahead to the Standing Committee on Government Operations. For the first time, the Languages Commissioner produced a business plan explaining the mandate, goals, vision and the priorities for the year and presented before the committee. This new practice confirmed once again the independent status of the Office. During the fiscal year 1996-97, funds were lapsed because the new Languages Commissioner started her mandate on June 96.

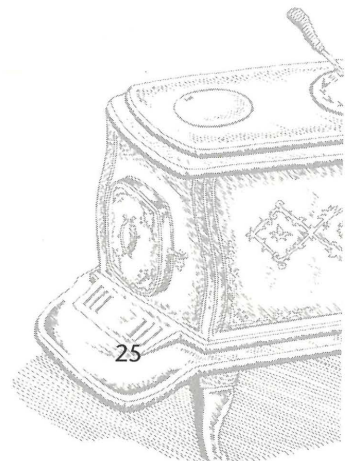
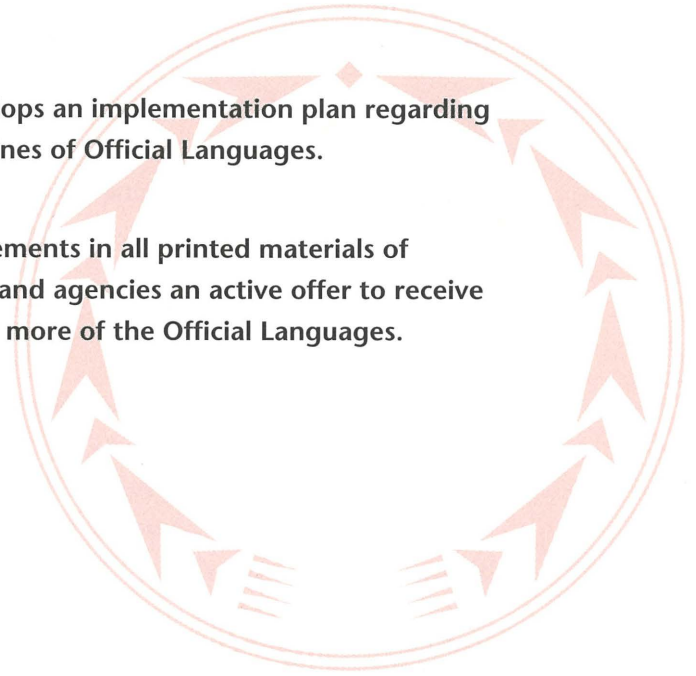
**Figure II – Office of the Languages Commissioner
Statement of Expenditures**

	Allocation	Expenditure	Variance
Salaries & Wages			
Salaries & Wages	\$115,000	\$190,774	(\$75,774)
Casual Wages	\$ 15,000	\$ 8,033	\$ 6,967
Sub Total	\$130,000	\$198,807	(\$68,807)
O&M			
Travel and Transportation	\$ 20,000	\$ 33,010	(\$13,010)
Materials and Supplies	\$ 11,000	\$ 21,945	(\$10,945)
Purchased Services	\$ 11,000	\$ 17,287	(\$ 6,287)
Contract Services	\$109,000	\$ 32,156	\$76,844
Fees and Payments	\$ 68,000	\$ 12,038	\$55,962
Furniture, Equipment	\$ 1,000	\$ 4,023	(\$ 3,023)
Other Expense	\$ 1,000	\$ 996	\$ 4
Sub Total	\$221,000	\$121,455	\$99,545
Task as a Whole	\$351,000	\$320,262	\$30,738

Source: Legislative Assembly Financial Report

Recommendations

- 1 That the GNWT develops a promotional plan regarding Official Languages in the Northwest Territories.
- 2 That the GNWT develops a comprehensive accountability framework to guide all levels of government in languages issues.
- 3 That the GNWT develops an implementation plan regarding the policy and guidelines of Official Languages.
- 4 That the GNWT implements in all printed materials of departments, boards and agencies an active offer to receive information in one or more of the Official Languages.



Summary

Statistical Summary

This report focuses on an analysis of the case load, where the complaint and inquiry originates, what type of organizations or individuals have contacted us, which department or agency was the subject of the complaint or inquiry and so on.

Most of the figures relate to the "case load" in 1996-97. Case load means "all the new cases opened in 1996-97 plus all the cases that were unresolved on March 31, 1996."

Each time the Office deals with a complaint, guidelines are currently used by the Languages Commissioner in complaints investigation. The procedures are based on the Official Languages Act, investigations guidelines used in other jurisdictions and the past experience of this Office.

Definition

An **Inquiry** is a simple request for information, usually about Official Languages or the Official Languages Act, or any other Act or regulation relating to the status or use of the Official Languages. It does not include any suggestion that a person feels that she or he has been unfairly treated.

Definition

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.

Figure III – Case Load Over the Last 3 Years

	Ongoing from Previous Year	Cases Received	Case Load	Case Closed	Case Ongoing
1994-95	77	368	445	380	65
1995-96	64	211	275	250	24
1996-97	24	94	118	103	15

Figure IV – Complaints, Inquiries, Languages Commissioner Initiatives and Other Cases Received

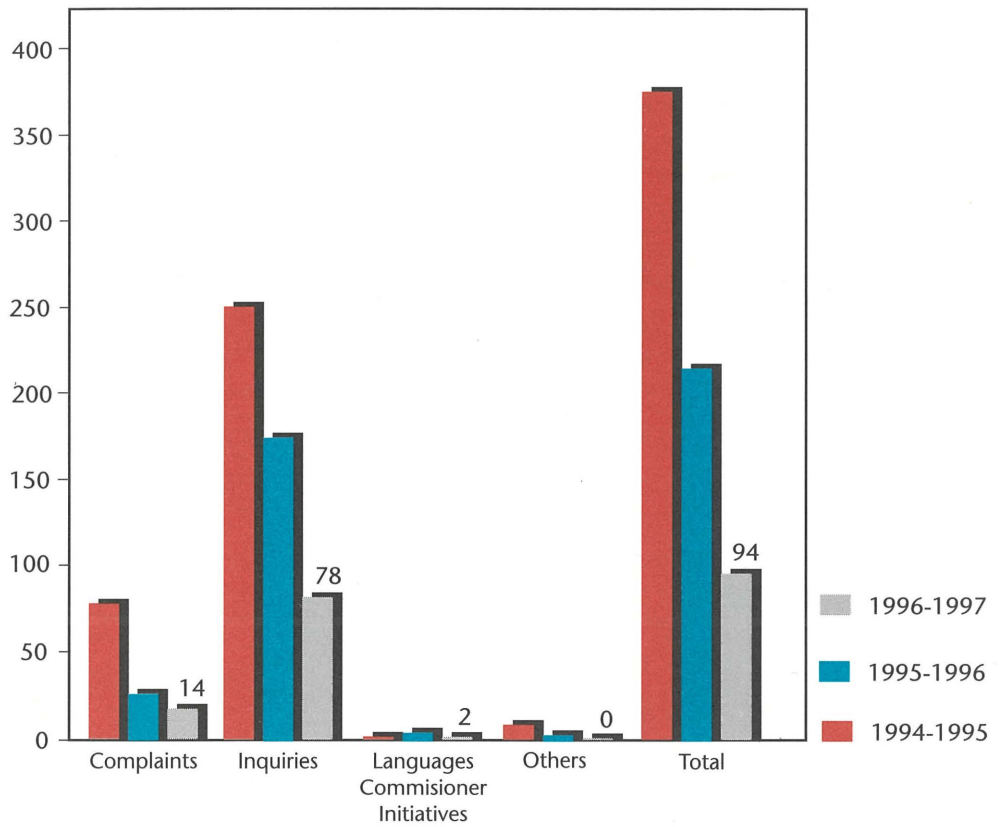


Figure V – Origin of Cases by Region, 1996-1997

	%	% Population
Baffin Region	7.4	20.5
Fort Smith	10.6	20.1
Inuvik Region	3.2	14
Keewatin Region	3.2	10.7
Kitikmeot Region	1.1	7.9
Yellowknife	54.3	26.8
Outside NWT (Canada)	16.0	
Outside Canada	3.2	
Don't Know	1.1	
Total	94.0	100.0

Population based on 1996 Census

Figure VI – Jurisdiction Over the 1996-1997 Case Load

	Within Jurisdiction	Outside Jurisdiction	Not Assesed Yet	Total
Complaints	68%	28%	4%	100%
Inquiries	84%	16%	0	100%
Invitation	100%	0	0	100%
L.C. Initiative	100%	0	0	100%
Others	100%	0	0	100%
Total Cases	85%	14%	1%	100%

Figure VII – 1996-97 Case Load from Employees

	Percentage
Employees	13.6
Non-Employees	63.6
Languages Commissioner's Initiatives	9.3
Not Specified	6.8
Others	6.8
Total	100

Figure VIII – Type of Organizations Which Contacted the Languages Commissioner, Case Load 1996-1997

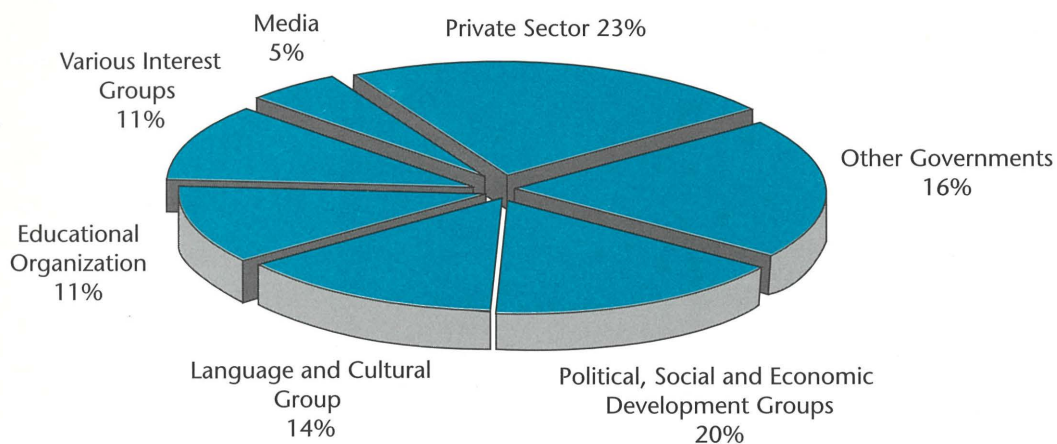


Figure IX – Subjects of the Complaints, Case Load 1996-1997

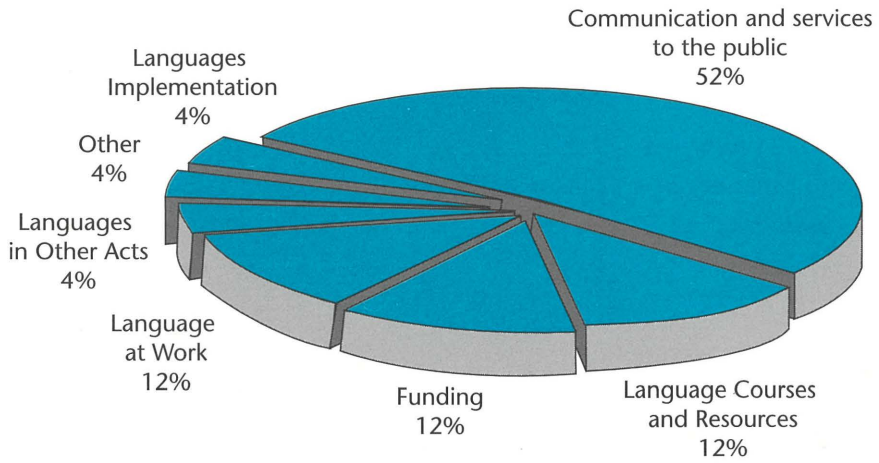
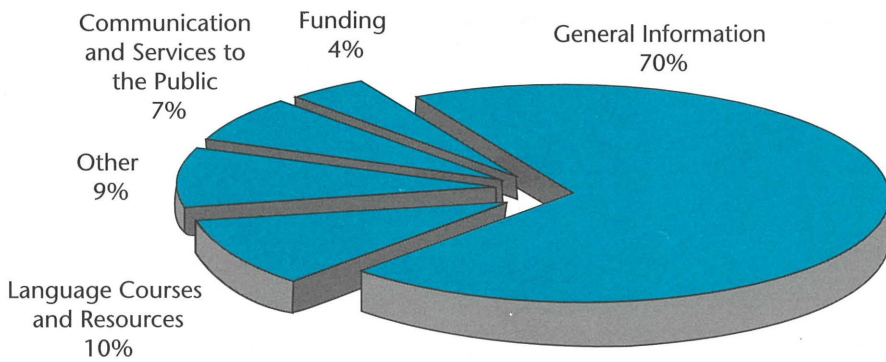


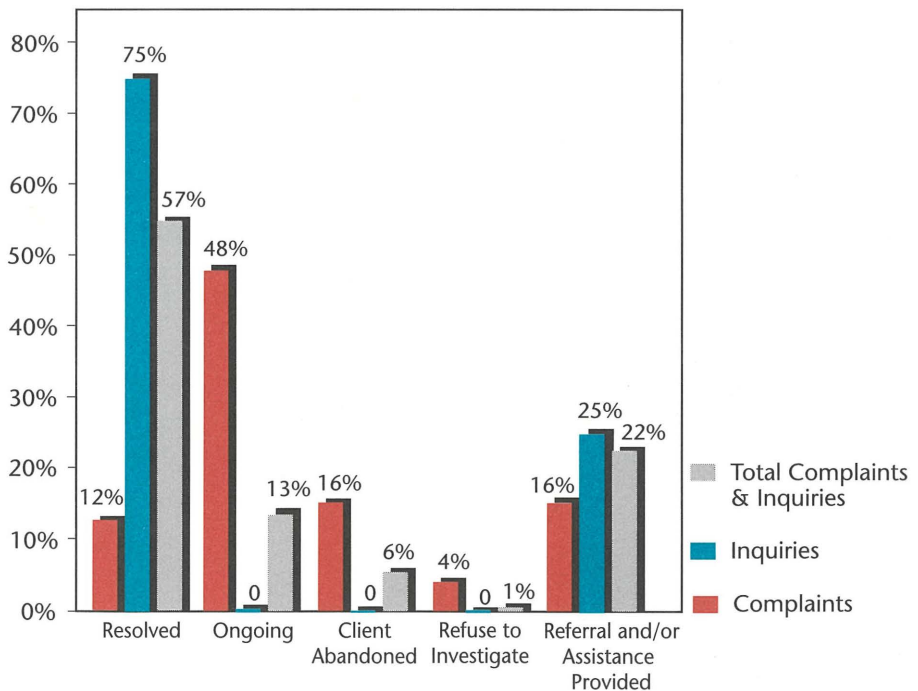
Figure X – Subjects of the Inquiries, Case Load 1996-1997



**Figure XI – Languages Involved in Complaints and Inquiries,
Case Load 1996-97**

	Complaint	Inquiry	Total
Chipewyan	3	2	5
Dogrib	4	2	6
Inuinnaqtun	2	0	2
Inuktitut	4	11	15
Michif	0	1	1
All Dene	2	2	4
All Inuktitut	0	2	2
All Aboriginal	0	4	4
Total Aboriginal	14	24	38
English	1	3	4
French	5	6	11
More Than One Language	3	0	3
2 or More Languages	1	2	3
All Official Languages	0	28	28
Other	0	1	1
Total	25	64	89

**Figure XII – Status of the Complaints and Inquiries,
Case Load 1996-97**



Appendix I

History of the Office of the Languages Commissioner

In 1984, the Legislative Assembly passed its first *Official Languages Act*. Modeled on the federal Act, it had two essential purposes; the Act guaranteed equal status for the use of French and English by members of the public using government programs and services and the Act officially recognized the Aboriginal languages in use in the Northwest Territories.

In 1990, the Assembly made major amendments to the Act to extend the equality of status to northern Aboriginal languages. Recognizing the official status of Aboriginal languages was intended to preserve and promote Aboriginal cultures through protection of their languages.

The 1990 amendments also created the position of Languages Commissioner for the NWT to be appointed by a vote of the Legislative Assembly for a term of four years. The first appointment was made in December 1991. The Office of the Languages Commissioner was opened in February 1992. This Office entails several activities which focus on ensuring that the rights, privileges, obligations, spirit and intent of the NWT Official Languages Act are upheld. The Languages Commissioner is an independent officer and accountable to the Legislative Assembly.

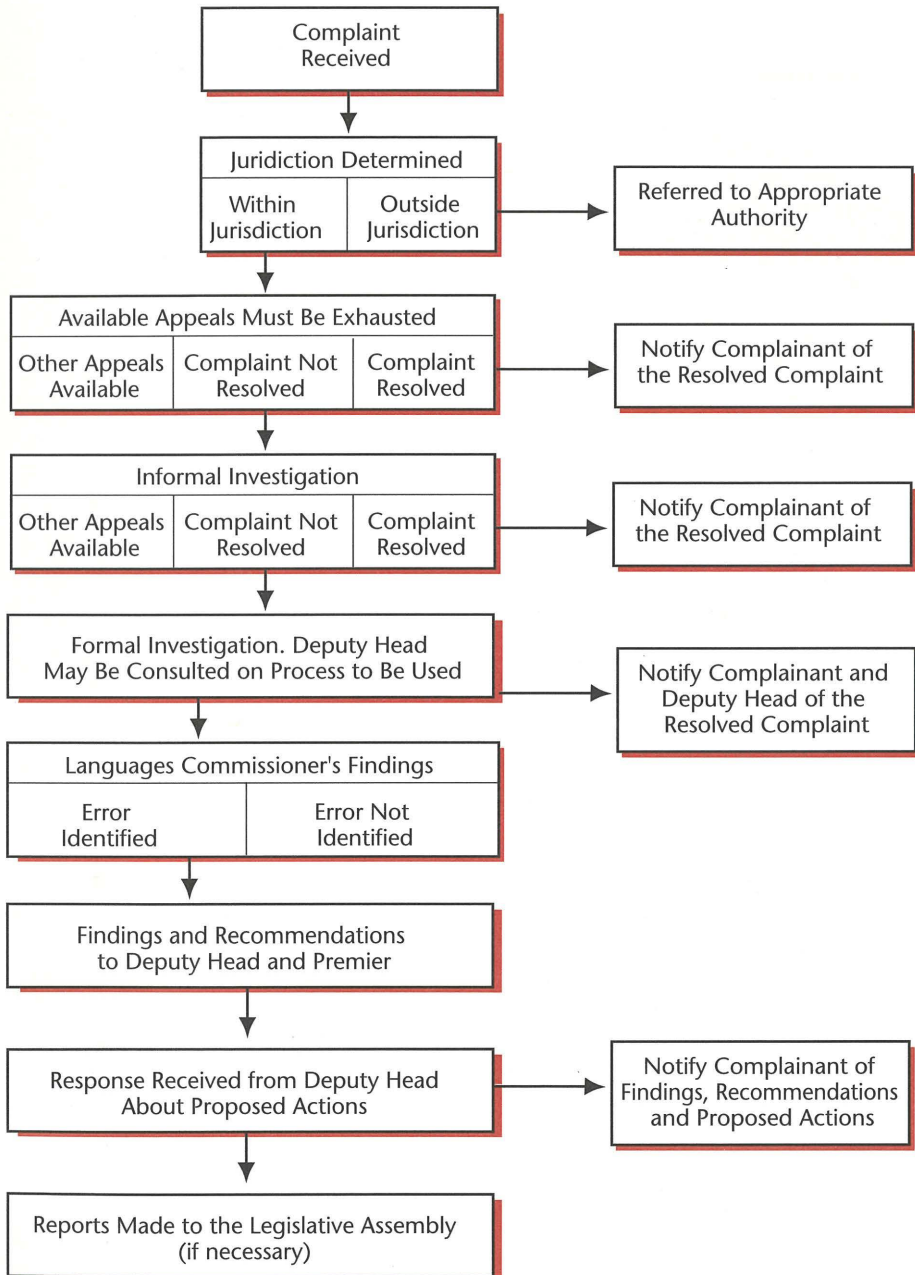
In May 1996, the Legislative Assembly appointed Judi Tutcho as the second Languages Commissioner.

Appendix II

Method of Handling Complaints

Flow Chart of Complaint

The flow chart illustrates the typical manner in which complaints are handled by the Languages Commissioner. Exceptions may occur at the discretion and direction of the Languages Commissioner.

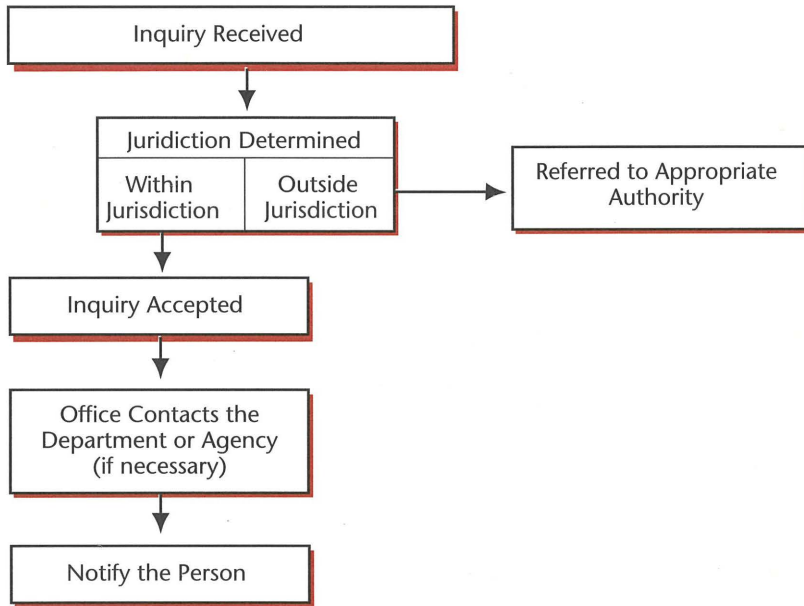


Appendix III

Method of Handling Inquiries

Flow Chart of Inquiry

The flow chart illustrates the typical manner in which inquiries are handled by the Languages Commissioner. Exceptions may occur at the discretion and direction of the Languages Commissioner.

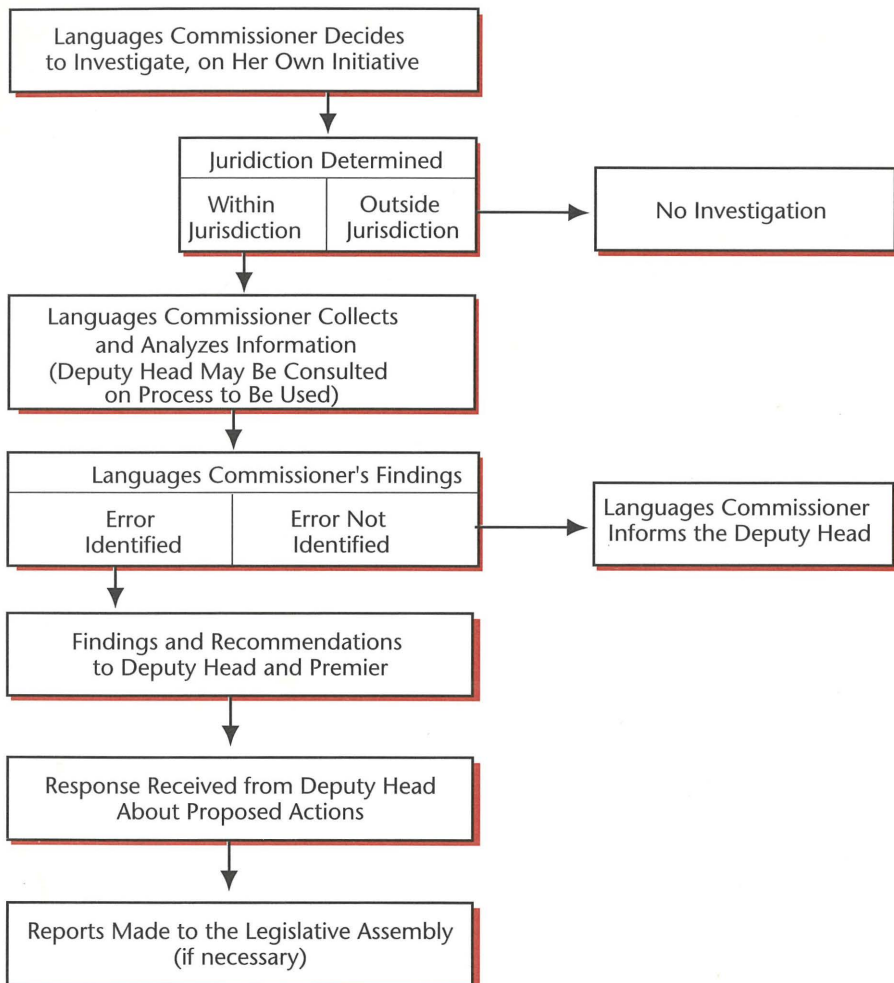


Appendix IV

Method of Handling Languages Commissioner Initiative

Flow Chart of a Languages Commissioner Initiative

The flow chart illustrates the typical manner in which an investigation initiated by the Languages Commissioner is handled. Exceptions may occur at the discretion and direction of the Languages Commissioner.



Appendix V

Who The Languages Commissioner Can Investigate

The *Official Languages Act* applies to the “institutions of the Legislative Assembly and Government of the NWT”. The Languages Commissioner can deal with matters involving any of these bodies. However, since there is no list which clearly identifies all of these bodies, the Languages Commissioner must decide, in each case, whether or not she has jurisdiction over the body.

The NWT *Financial Administration Act*, the *Public Service Act*, and other Acts that provide for the creation of these bodies, are consulted when such a decision must be made.

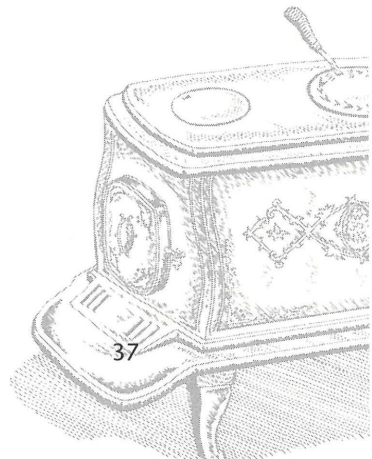
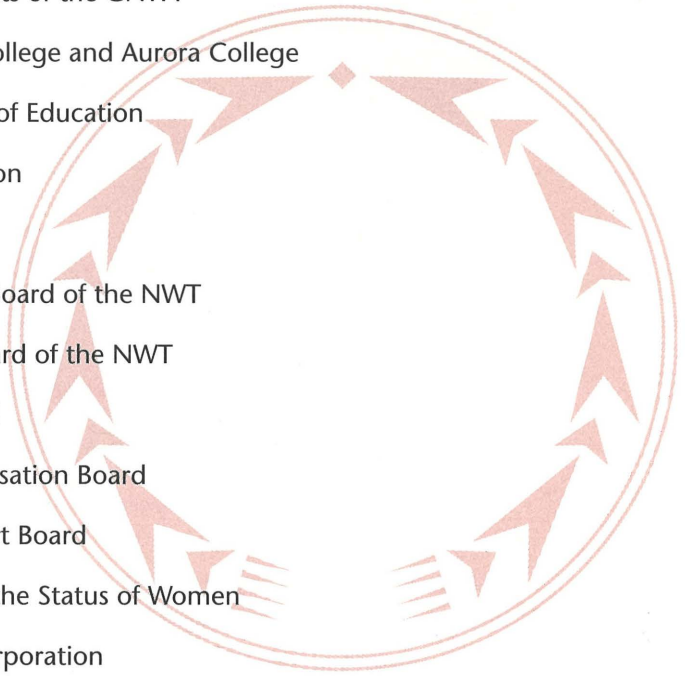
The following three general criteria are also used to determine whether or not a body fits into this category.

- 1 Does the legislative, executive or administrative branch of government exercise general control over the entity?
- 2 Does the entity perform a traditional government function or a function which, in more modern times, is recognized as a responsibility of the state?
- 3 Is the entity one that acts pursuant to statutory authority, specifically granted to it to enable it to further an objective that government seeks to promote in the broader public interest?

Given these criteria, the Languages Commissioner is of the opinion that the *Official Languages Act* applies to all of the bodies listed below. **This is not a complete list.** The criteria for each body have to be examined individually to determine conclusively that the *Official Languages Act* applies.

The *Official Languages Act* applies to:

- All the departments of the GNWT
- Nunavut Arctic College and Aurora College
- Divisional Boards of Education
- Boards of Education
- Health Boards
- Labor Standards Board of the NWT
- Legal Services Board of the NWT
- NWT Water Board
- Workers' Compensation Board
- Highway Transport Board
- NWT Council on the Status of Women
- NWT Housing Corporation
- NWT Business Credit Corporation
- NWT Development Corporation
- NWT Power Corporation
- Science Institute of the NWT
- Other bodies that meet the above criteria



About the Artist

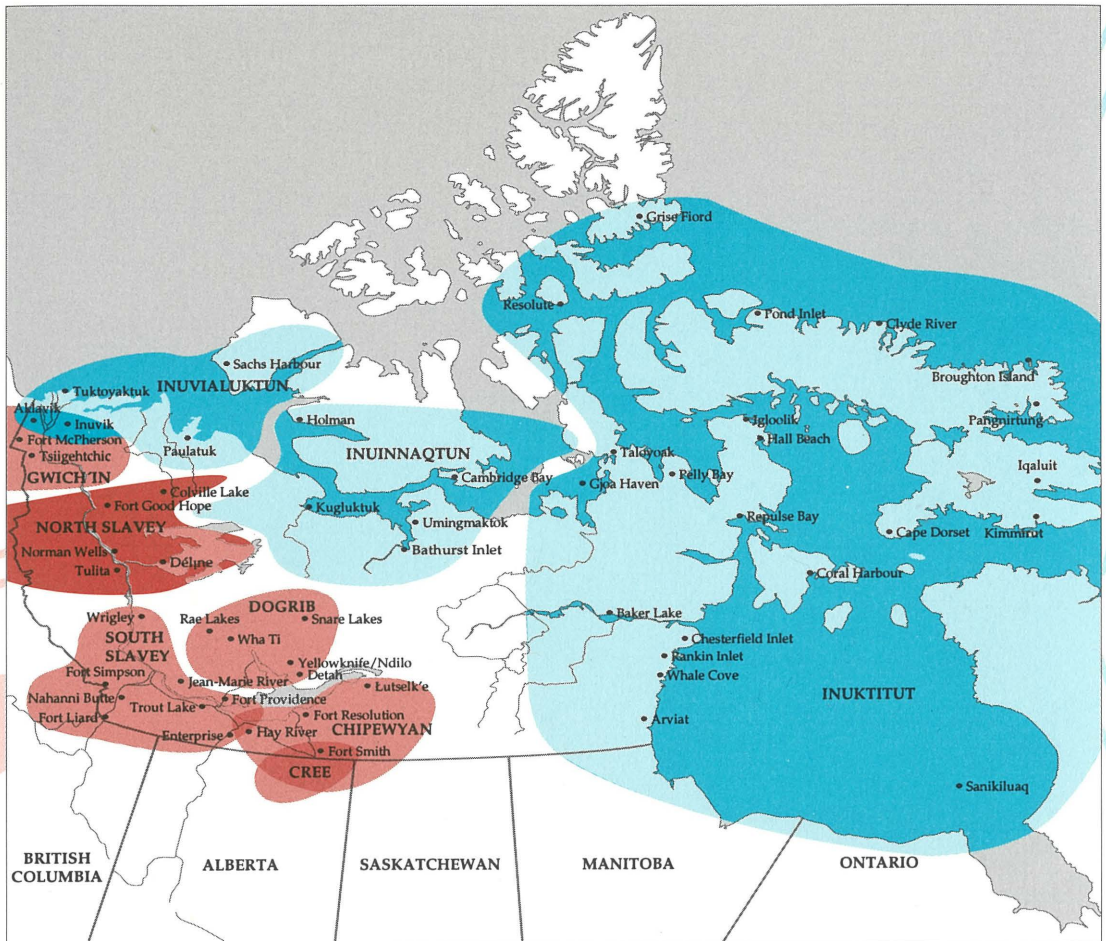


Brian Brule with Judi Tutcho, Languages Commissioner.

Born in Fort Providence by the mighty Dehcho, Brian comes from a family of eight. He attended elementary school in Fort Providence and continued his high school in Fort Smith. Brian worked for Bellanca Developments in Yellowknife for five years. He is presently employed at the Northern Store in Fort Providence as an Assistant Manager.

His talent for art came at a very young age, through the eyes and guidance of his mother, Ernestine. The talent of the young artist was also detected by Sister Roseanne Herbert, whom he commends for her unrelentless support and insistence that Brian pursue his art work in oil painting on canvas. His first, most memorable accomplishment, was for Mrs. Dube in Fort Smith, a wall panel on canvas of a couple of moose, ducks and a swan on an autumn day. Brian says, "He is getting better as he goes along." He presently does work for friends, and a lot of big buildings in Fort Providence, along with billboards and signages in the town, display Brian's work. He eventually would like to go back to painting full time, but right now, he just calls it a "hobby".

Official Languages of the Northwest Territories



English is used everywhere in the NWT. French is used in Yellowknife, Iqaluit, Fort Smith and Hay River.

Office of the Languages Commissioner of the NWT

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