

July 25, 2023

Submitted Electronically

Mr. Claude Doucet, Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, ON K1A 0N2

Dear Mr. Doucet;

**Subject: Letter of Support by L. Kerry Vickar Business Law Clinic
APTN Licence Amendment Application Number 2023-0395-7**

The L. Kerry Vickar Business Law Clinic is pleased to provide the following comments and express our strong support for the subject broadcasting licence amendment application 2023-0395-7 of the Aboriginal Peoples Television Network Incorporated (“APTN”).

The L. Kerry Vickar Business Law Clinic is a pro bono legal clinic operated by law students at the Faculty of Law at the University of Manitoba. Located in Winnipeg, we serve all of Manitoba. We provide free legal assistance to entrepreneurs, small businesses, start-ups, innovators and family businesses, non-profits, charities, artists, art, culture, and community organizations who do not have a lawyer and cannot afford legal assistance. All information and services by law students are supervised by experienced lawyers. 50% of our client base are women, 37% of our client base are BIPOC, almost 40% of our client base are rural or Northern Manitobans, and approximately 20% are non-profits.

As law students we are exposed every day in our Clinical work to the practical aspects of law carried out with professional responsibility and sense of public obligation. We are keenly aware through our studies and the work we do of the challenges of others, as well as the important work of other organizations, including the need to find solutions to better our community, province and country, for all. And, also the need to work together in creating solutions, as well as to support those on their journeys towards success, including along the shared path we must all travel together towards Reconciliation.

We reviewed the APTN broadcasting license amendment application in detail. We have also reviewed the numerous letters of support filed in support of this APTN license amendment proceeding.

APTN's licence amendment application deserves to be supported. We urge the Commission to approve APTN's application. APTN's application serves the public interest. APTN's application is compelling; aligns, supports and is consistent with the broadcasting policy objectives of the *Broadcasting Act*, as well as the *Broadcasting Distribution Regulations*; but is also so much more.

We note that the application by APTN is to increase substantially the level of Indigenous-language programming that it offers and to create a more efficient delivery system overall and to rationalize APTN's programming delivery to Canadians. We note that APTN also proposes changes to its conditions of licence to replace APTN's existing four regional broadcast feeds (HD, North, East and West) with two broadcast feeds, both in HD. One feed would be dedicated to Indigenous language programming. The other feed would be dedicated to programming in English and French.

APTN's brief in support of its application is compelling. This is truly a very easy application to support. It is no wonder there is significant public support for APTN as a broadcasting distribution undertaking as well as for its plans to increase the level of Indigenous language programming.

We agree in particular and wish to highlight the following quotes from the very opening of APTN's Supplementary brief [DM#4400687 - APP - Doc2 – page 1 of its Supplementary brief.doc] which are particularly relevant; and, we also agree with deeply:

“People’s ability and freedom to use their chosen language is essential for human dignity, peaceful co-existence, reciprocal action, and for the general wellbeing and sustainable development of society at large. Language, as a systematic form of communication which takes place in all human domains, facilitates people’s meaningful interactions with one another, enables cultural expressions in a variety of forms, as well as the transmission of centuries-long knowledge, history, world views, beliefs, and traditions, bequeathed from generation to generation, and contributes to the creation of an economic value and benefits which lead to new employment opportunities, research and development, technology transfer and innovation. It is through languages that people embed their worldviews, memory and traditional knowledge, alongside their unique modes of thinking, meaning and expression, whilst – even more significantly – it is through language too that they construct their future.”

UNESCO, *Global Action Plan of the International Decade of Indigenous Languages (IDIL 2022-2032)*”

“The United Nations General Assembly has proclaimed 2022 to 2032 as the International Decade of Indigenous Languages. Their proclamation draws attention to the critical loss of Indigenous languages and the urgent need to preserve, revitalize and promote these languages.

In Canada, notwithstanding a long and documented history of language suppression, Indigenous languages persist. Statistics Canada records over 70 Indigenous languages currently being spoken across the country, grouped into 11 distinct language families. Other researchers identify 86 different languages.

All Indigenous languages spoken in Canada are vulnerable to loss, and some are at risk of disappearing completely. A comprehensive analysis conducted for the UNESCO *Atlas of the World’s Languages in Danger* found that 62 of the 86 Indigenous languages being spoken are endangered or critically endangered. The remaining 24 languages are all vulnerable, although some are stronger than others with intergenerational transmission currently supporting their viability.”

We also agree, as APTN states on page 2 of the same Supplementary brief document, that:

“The broadcasting industry plays a direct role in helping to preserve and revitalize Indigenous languages. In a time when so many Indigenous languages are at risk of extinction, broadcast media is key to validating them and ensuring that they remain part of daily life in our communities.”

And, further, we agree as is so clearly stated by APTN on page 3 of the same document that:

“From its earliest days when it began operations as Television Northern Canada (TVNC), APTN has provided Indigenous communities with the means to communicate their stories and experiences in their own languages. APTN's licensing as a national television service in 1999 fulfilled a long-standing desire for a national network operated by Indigenous Peoples. APTN’s official launch expanded gains that had been made in Northern communities to Southern regions and urban areas in Canada.

Upon becoming a fully national service, APTN diversified the languages it offered to audiences and set out on the path to support and help revitalize Indigenous languages within the broadcasting sector. Since 1999, APTN has broadcast programming in 54 different Indigenous languages. APTN now provides regular programming in 15 Indigenous languages annually. APTN North, which offers the most Indigenous-language programming of all our broadcast feeds, provides more than 50 hours per week. This exceeds our Condition of Licence to provide at least 35 hours of Indigenous-language content on a weekly basis.

Now, the time has come for APTN to further support the reclamation and revitalization of Indigenous languages.

The production and broadcast of Indigenous-language programming reflects the essence of APTN's purpose. Language is inherent to the cultural value of our programs, which provide a platform for expressing Indigenous worldviews and identities. To broadcast in Indigenous languages is therefore to proclaim and embrace our identities.”

As law students -- we have learned, and appreciate the significant value and pricelessness of equity, diversity, inclusion, including the importance of Indigenous languages, and firmly believe that APTN’s proposal is a crucial step toward preserving and revitalizing these languages.

Indigenous languages are a neglected part of our nation’s cultural heritage. They represent the traditions and wisdom passed down through generations. Due in large part to the actions of the Canadian government through programs like residential schools, Indigenous languages are at risk of extinction. To not support or worse lose these languages would be to lose important pieces of Indigenous cultures and to set back the ongoing process of reconciliation.

APTN has been at the forefront of promoting Indigenous voices and stories. Expanding the availability of Indigenous-language programming would further contribute to the revitalization of these invaluable languages. By broadcasting further content in Indigenous languages, APTN would provide a platform for expressing Indigenous worldviews and identities and push back against the deterioration of these important expressions of culture.

Approval of APTN’s application would not only benefit Indigenous communities but also educate the wider Canadian population. This greater understanding and appreciation of Indigenous cultures would help bridge the gap between Indigenous and non-Indigenous communities.

Increasing Indigenous-language programming also directly aligns with Canada’s commitment to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Article 13 of UNDRIP states:

“Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, . . .”

Additionally, Commission approval of this APTN application supports advancing the work of the *Truth and Reconciliation Commission of Canada: Calls to Action* (calls 84 - 85) and the *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (calls for justice 6.1, (i) - (iv)).

By supporting APTN's application, we can all, including the Commission, demonstrate commitment to upholding the rights of Indigenous peoples.

APTN's application is an important step forward, and aligns, supports and is consistent with the broadcasting policy objectives of the *Broadcasting Act*, clearly enjoys strong public support and deserves support and approval by the Commission.

APTN's success to date after two decades as the First National Indigenous Broadcaster in the World and its award-winning programming, ensures that if this licence application amendment proposal is approved, there will be significant positive impacts on Indigenous communities and also Canadian society which will further contribute to greater understanding between Indigenous Peoples and the world.

We also conclude and believe in the merits of this application; and as APTN has done (at pages 14 and 15 of its Summary brief), can say it no better than what APTN has stated in their own words (which we have quoted below) that:

“ It is time for APTN and the broadcasting system to do more to deliver Indigenous-language programming across Canada.

All Indigenous languages in Canada are vulnerable, and some are at risk of extinction. The loss of language is nothing less than a cultural tragedy that has profound impacts on Indigenous communities. The *Broadcasting Act* now provides the policy framework for fully recognizing Indigenous languages alongside English and French in the broadcasting system. The Act also provides broadcasters with the tools to further amplify Indigenous voices.

APTN's proposal will provide for a full-time Indigenous-language programming service to serve many different Indigenous communities and Peoples throughout Canada, wherever they may live. [This] proposal will also help rationalize APTN's existing programming feeds by providing a single English- and French-language programming feed, to serve Canadians from coast-to-coast-coast.

We are hopeful that this application will be viewed in the spirit with which it has been imagined: as a simple way to provide more Indigenous-language programming at a critical time, while also making more efficient use of APTN's existing resources.”

We appreciate the opportunity to share our perspective and strong support of APTN's license amendment application. We would be pleased to expand upon our views should the Commission or Commission staff require any further information concerning our comments in strong support of APTN and its proposed future direction.

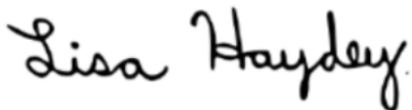
Thank you for the opportunity to comment on APTN's application. We trust our comments are helpful. We urge the Commission to approve this application without delay.

Respectfully submitted from Winnipeg, in Treaty 1 Territory and the homeland of the Red River Métis, in Manitoba,

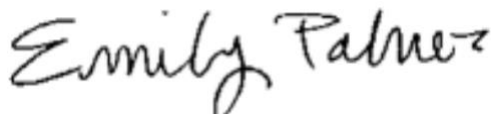
L. KERRY VICKAR BUSINESS LAW CLINIC



Kassandra Taverner, BSC (She|Her)
Student-at-Law, JD Candidate, Class of 2025



Lisa Haydey, BA Psyc Hons, MPT (She|Her)
Student-at-Law, JD Candidate, Class of 2025



Emily Palmer, BA, MJ (She|Her)
Student-at-Law, JD Candidate, Class of 2025