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## Standing Committee on Official Languages

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**Tuesday, April 1, 2008**

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**Chair**

**Mr. Steven Blaney**

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Tuesday, April 1, 2008

• (0905)

[Translation]

**The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)):** Good morning and welcome to the 22nd meeting of the Standing Committee on Official Languages. I see that members of the committee were able to rest during the break.

Before hearing from our witnesses, we have a motion on the floor tabled by Mr. Nadeau.

Mr. Nadeau, you have the floor.

**Mr. Richard Nadeau (Gatineau, BQ):** Thank you, Mr. Chair. Greetings, everyone. I hope everyone had a good Easter.

The rationale for my motion is the following: at our last meeting, we heard from representatives of the Canadian Forces, the ombuds-woman and her assistants. I spoke to them about the difficulties I had in my attempts to obtain from the Canadian Forces what I believe to be very basic information, concerning French courses given to newly recruited soldiers who are based primarily in Borden.

In fact, I had sent a letter to the Minister of National Defence, Mr. MacKay, inquiring about the pedagogical material used, etc. The letter was drafted in both official languages, and was similar to the wording of this motion. National Defence replied by saying it would be preferable for me to make a request through access to information. I was floored; my request concerns a very basic matter. I myself have a background in teaching, and if my schoolboard had asked me what was being taught in my school, I would have been able to submit a very straightforward list of programs that constituted our curriculum.

I would like to speed things up. I also intend to make a request for access to information, but I believe that this request would benefit from the support of all 12 members from the four political parties. It may even inspire National Defence to accommodate us rather than ask us to make a request through access to information, which generally takes time.

It is in that spirit that I am tabling this motion. I would like the Canadian Forces to provide information not only to myself and the Bloc Québécois, but to all members of the committee.

**The Chair:** Thank you, Mr. Nadeau.

Are there any questions or comments on this motion? We will then move to a vote.

(Motion agreed to)

• (0910)

**The Chair:** Before hearing from our witnesses, we need to adopt the budget for our study on the Canada-community agreements. The clerk's assistant will distribute the document. This is a budget of \$31,600. Mr. Nadeau moves that the budget be adopted. We will now move to a vote.

(Motion agreed to)

**The Chair:** Without further ado, we will now hear from our witnesses. This morning we have representatives from two communities in the Northwest Territories and Saskatchewan.

I invite you to introduce yourselves, tell us about your association, and provide us with your comments on this committee's study.

We will begin with Mr. Desgagné.

**Mr. Denis Desgagné (Director General, Assemblée communautaire fransaskoise):** Thank you, Mr. Chair.

I wish to thank this committee for inviting us to talk about a subject close to our heart, the Canada-community agreements. I have prepared a presentation. I am told that I have 10 minutes to deliver it. It is entitled "Proud to serve our country". I feel that the title accurately reflects what is happening on the ground. The phrase "proud to serve our country" is often used by the armed forces, and we consider ourselves an army that fights to develop linguistic duality in Canada. I wish to raise four questions.

The first question is the following: do the agreements adequately address the needs of communities in terms of funding, accountability, and priority management? Those are the three main elements.

With respect to funding, it is clear that we need more resources to better ensure development in various sectors and enable multiple stakeholders to work together. We conducted a study in Saskatchewan on how to distribute strategic funds. It is entitled "Le minimum vital", the vital minimum. I will table a copy of this study with you later on. We sought to determine which organizations play a vital role in community development and to determine the minimum requirements for these organizations to effect change and community development. After this, we were not any further ahead. By giving organizations the minimum, we were still far from the real minimum they need.

There is a second issue pertaining to what I might call a sort of incompetence in planning human resources. We conducted another study on this subject and determined that staff turnover was approximately 60% at the regional level and 40% at the provincial level. Therefore, employees do not stay in these jobs. Over the span of two years, organizations undergo a total turnover of their employees. Organizations are constantly having to retrain people, and ultimately, employees accept to fulfil a role while waiting for something more important, while they train to do so. It is almost as though these people are occupying positions while waiting for something else to come along. Therefore, these people are not trained properly in community development, and come from all sorts of professional backgrounds. Once they have learned the job, they're gone. This is a significant problem that ties into funding.

With respect to accountability, governance suffers from a certain level of inconsistency. This means there is a lack of community governance, as well as inability to build it. There are several levels of governance, such as the provincial governance structure, the community governance structure, the economic governance structure, the cultural governance structure, and the early childhood development governance structure. There are no links to tie these multiple structures together. The Canada-community agreements program distributes funds, but there are other agreements do not relate to these particular structures. Therefore, there is a lack of accountability, or the accountability boils down to a small board of directors and we have still not come up with an overall development plan under which everybody is accountable. Therefore, this adds layers of complexity.

In terms of priorities, time allocated to development has decreased because of the administrative work required under the most recent agreement, appendix F, and so on. All organizations are trying to... Once again, I repeat, there are too few employees. Employees who deal with administration, which is becoming increasingly cumbersome, have less time to devote to development. Therefore, they produce fewer results, and so on and so forth. This is ongoing.

With respect to the agreements, there isn't any major difference between them. There is a sort of one-size-fits-all agreement that is applied all over the country, and you cannot really fine-tune these agreements or their negotiation according to specific contexts. We've invested a lot of energy in this, but there hasn't really been a change.

●(0915)

Therefore, the same question can be raised regarding administration costs. In Saskatchewan, we wonder why we cannot follow the model that is used in Nova Scotia. Nova Scotia did not sign an agreement and has received the same funding, but is not responsible for administration. Heritage Canada is responsible for administration, and the province is responsible for development. Does this address needs adequately? I would say that significant improvement still needs to be made on that front. That wraps up the first question.

I also want to talk about another element. Multi-year funding seems to have flattened out. Current funding has remained at the same level for the last five years. The cost of living and other factors are not taken into consideration. As such we are regressing; our ability to intervene is eroding.

What are the major disadvantages of these agreements? In addition to the elements I have brought forward, a governance without any real power, coupled with the need to ensure accountability is problematic. The absence of accountability and dispersion of resources among stakeholders who are under no real obligation to produce results creates undesirable situations. Incompetence is in a way encouraged. The absence of results has no consequences. Silos are created, resulting in a fear of collaboration, because everyone is clinging to their resources.

We absolutely have to change the perception that community organizations have to beg the federal government for money to carry out their mandate. We absolutely must be seen as partners, and not as beggars. We are asking for resources in order to move linguistic duality in Canada forward.

Administration is immensely heavy. Very often, we have to commit funds before even receiving them. In order to do community development today, organizations have to have some resources at their disposal. Most recently, we received funding from the Strategic Funds. The announcement was made in March, and yet we had to spend the money before the end of March. It is a case of hurry up and wait. It is rather difficult. In addition, we often have to wait for the 10% that only comes in June. Community development requires money. In order to progress, organizations must be able to maintain good relations and negotiate with financial institutions.

It is certain that there are advantages. It has been recognized that base funding is much appreciated, but not all organizations can benefit. Funding, paired with the immensely motivated community stakeholders, has indeed allowed us to produce results. I will table a document with you about the results achieved in the last five years, in spite of everything.

I wish to answer the question about what sort of recommendations should be made to the federal government so that government support to organizations is more effective. Firstly, I wish to refer to a report you already have: Leading by example and putting an end to the paradox. Ideally, Canada-community agreements or collaboration agreements should be tripartite. Saskatchewan, for one, would like these agreements to be entered into by the federal, provincial and community governments. To include the provincial government would be a demonstration of leadership.

The federal apparatus must be involved in community development. We have always signed agreements, which were called at one point the Canada-community agreements; they have since been renamed and are referred to as collaborative agreements. In fact, these agreements were mostly concluded with Heritage Canada. To produce real results, we need to sign agreements with the federal government on economic matters. Therefore, we need an agreement that involves a governance structure and accountability for results achieved. In addition, our communities would be able to benefit from the synergy created.

• (0920)

I'm talking about better collaboration between all parties and better delivery of services to our citizens. To my mind, one way of helping would be to make sure that the Official Languages Act is complied with. How many times have our organizations had to make sure that departments and government agencies complied with the Official Languages Act? How many times did our organizations have to confront the RCMP, Air Canada, and other organizations? We spend a lot of time making sure that the federal government adheres to the Official Languages Act, whether it be part IV, dealing with services, or part VII, that deals with promotion.

**The Chair:** You have one minute remaining, Mr. Desgagné.

**Mr. Denis Desgagné:** Ideally, we should have multi-year agreements providing for one single fund, and one lump sum payment. This way, we would be able to better manage our affairs. There would not be a payment five times per year, but rather one plan for the next five years. That would make our work easier.

Also, the community governance structure must be respected, and it must be given the power to require accountability. We need the necessary tools to make organizations bound to produce results; ask federal authorities to ensure accountability with respect to development priorities, and make investments accordingly.

**The Chair:** Thank you, Mr. Desgagné. I want to also thank you for reminding us that the Canada-community agreements are henceforth called the collaboration accords for communities.

We will now move on to our second witness, Mr. Denault.

**Mr. Fernand Denault (President, Fédération Franco-Té-NOISE):** Thank you, Mr. Chairman and gentlemen. I was going to say "ladies", but I noticed that there are no ladies around the table. Perhaps that is something which could be improved.

The first thing I would like to say concerns the renewal date of the Canada-community agreement. The 1999-2004 agreement expired at the end of March 2004. Our community organizations, with the FCFA at their head, noted at that time that there was an extreme need for more funding, without which our services would be compromised. We had completely run out of resources. We were at the point of no longer being able to meet the needs of our communities in terms of development and support anymore.

This situation came before the new obligation to produce results under the Official Languages Act since the fall of 2005. Many additional reports have been completed since. They show the concrete impact of not renewing the Canada-community agreement. It is unacceptable and inconceivable for us that this agreement was renewed on a piecemeal basis, one year at a time, for the last four years.

The fact that we have not yet established a clear and specific partnership situation or appropriate funding has caused irreparable harm to the entire Canadian francophone minority community infrastructure. Employees are leaving this sector for more stable and better-paying jobs. Volunteers are crumbling under the workload and are bearing the burden of continuity in the area of community service. The burnout risk is high and receiving additional support is critical. The new community services which were brought in over the last few years, and which are being consolidated, are being

impered by the quasi-permanent uncertainty of the last four years. Major projects in the areas of education, community centres and early childhood education are progressing at a snail's pace. We can only conclude one thing, namely that the government must sign a new agreement with the minority language community. This would be an agreement between partners who respect each other.

Further, funding under the agreement must allow the community to responsibly provide development support and community development services. The Fédération des communautés francophones et acadienne du Canada has tabled many reports explaining the increased requests for funding and has laid out the consequences of underfunding responsible and efficient services. We believe that the government is aware that it must increase funding significantly over and above the amount needed to maintain minority community services. Simply maintaining the services is not a reasonable option and it is in violation of the law.

It has been shown that only a minimum level of services are provided to minority francophone communities. Our organizations have been forced to find money to meet their basic needs by investing in projects which take up additional resources. It is a vicious circle which creates more and more work for these organizations. It is not a good way to manage resources nor is it conducive to efficient planning and organization.

Because we must produce results, we must apply special financial measures. If Mr. Lord had studied our reality more closely, he probably would have recommended much more funding for us. We suggest that the same principle should apply to the renewal of the Canada-community agreement. All of the spokespeople and representatives of the community organizations have developed a work plan for the next 10 years whose merits have been recognized as representing the needs of the community sector.

The June 2007 summit brought together all the credible organizations which adopted a well-thought-out and forward looking general plan. It also brought together community authorities; it highlighted the needs of our community and recognized the needs on the ground. A real increase in the resources available to our community organizations would also be a recognition of our community, and any project we would wish to undertake in the north would be achievable if we receive enough support from the federal departments and agencies which are responsible for meeting the objectives contained in their mandate, namely to help minority communities develop and flourish.

The community, a responsible and hard-working partner, would like to work side by side with various government agencies to help minority communities. We are proposing that the government consider these communities not as clients, but as partners to be respected. In January 2006 we signed a collaboration agreement whose philosophy of open management and respectful partnership we welcome. The francophone community of the Northwest Territories has insisted on maintaining a process of transparency and community consultation which far exceeds our involvement in discussions with regard to funding requests.

• (0925)

The recommendations of the Table de proposition are indeed submitted to our annual general assembly for study and approval. In the same way, our associate members consulted with each other when additional funding became available, and they decided to prioritize certain projects on behalf of the greater community of francophones living in the Northwest Territories. This transparency in our organization has helped to straighten our relationship with the communities and fostered a better administration of funding applications.

However, within the collaboration agreement there is a restriction which weakens the community's decision-making process. The Department of Canadian Heritage is requesting that the work plans of each organization, called *Soutien à l'action* and *Soutien à l'innovation*, be presented for analyses and approval, and the department reserves the right of final say over any amount of funding. In doing so, the Department hears our requests, but retains authority over resources, which means that it does not fully respect our partnership to the end of the decision making cycle.

Further, the quality of our collaboration within our group of associations leads us to believe that a funding model based on centralized management of funding by the lead organization—as was the case a few years ago—could improve the cohesiveness of the organizations in the Northwest Territories and make it easier to meet certain objectives, including low staff and volunteer turnover.

In conclusion, we believe that the community is fully capable of contributing to the planning, evaluation and decision-making with regard to funding, including the breakdown of this funding for all of the organizations which are members of the association. We believe that a respectful partnership between the community and government calls for open-mindedness, and that it is not incompatible with the rules of responsible government.

I would like to comment briefly on the urgency of reducing the paperwork by making forms more simple, by having a resource person within Canadian Heritage available to us, and by making accountability more straightforward. The form, which is much too long, presents technical problems when you try to put in parts of a text. Further, it would be much easier, and involve less paperwork, if we were asked to make applications for funding on a multi-year basis, which would be indexed to the cost of living as based on Canada's consumer price index for the Northwest Territories. It takes a very long time to review funding applications, especially when additional funding is requested. As a result, it is often difficult for official language communities to do good work because deadlines become increasingly short, which makes it hard to meet objectives. These things are not efficient, and the situation might compromise final results.

A solution might be, in cases where the decision to support a project comes too late in the budgetary cycle, to exceptionally grant authority for a project to be completed within three months of the end of the fiscal year, or even at the end of the next fiscal year. Indeed, we have often said that we could have done a better job if we had been given an extra few weeks to finish what we were doing.

We believe that analysis of funding requests must be carried out based on the reality of a region. Community agencies are very familiar with the reality on the ground in a territory, a province or a region. If people are open to the idea of an asymmetry, it would lead to more transparency and fairness in the way resources are distributed to minority communities throughout the country.

We believe, along with our colleagues from other communities, that everyone has the right to receive their fair share from the government. However, fairness might mean different levels of support for different regions. The fact is that we have a high turnover of staff and volunteers, which means that if we are to operate properly, we must permanently reinforce our personnel and administration capacity. We need to hire more people because of the complexity of delivering services to our communities.

Lastly, I would like to address the distinct reality of the territories and the Canadian north. The fact of the matter is that the Canadian government spends a little over a billion dollars to provide services to a population of about 42,000 people in the Northwest Territories, which is just over \$23,000 per person. Spending this amount of money is entirely justified. The Government of Canada contributes about 80% of that amount.

• (0930)

Obviously, these data bear no relation to the government funding granted to each individual living in a province. This means that our real needs are such that they justify an approach that takes into account the northern context: long distances; the cost of living; staff turnover, competition for labour with the mining industry, the oil industry and government; isolation; transportation costs; the lower level of competition because of the number of service-based industries, etc. I could continue for hours.

Recognition of this reality would lead one to believe that funding to guarantee equal-quality service in order to ensure the flourishing of our francophone minority would require an agreement between Canada and the community that is adapted to our situation in the north. The application of a principle of appropriate resources allocated during the fiscal year would signify respect for all the regional characteristics of the needs of our pan-Canadian francophone community and of minority citizens.

This summarizes the points we wanted to submit to you. I thank you for your welcome and am of course available to answer your questions.

**The Chair:** Thank you very much, Mr. Denault. I've noted that you have provided me with a document, that we will have translated and sent to the members of the committee.

We will begin the first round of questions with five minutes for each of the political parties. That round will be followed by other five-minute rounds.

Mr. Rodriguez.

• (0935)

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** Thank you, Mr. Chairman.

Gentlemen, thank you for being with us today.

I will start with you, Mr. Desgagné. How many francophones are there in Saskatchewan?

**Mr. Denis Desgagné:** The term “francophone”... In Saskatchewan, with the inclusion commission, there are 50,000 of us, but that includes all those who speak French. According to Statistics Canada, about 17,000 people identified themselves as being old-stock francophones. The rest are people who learned French and who self-identified as speaking French as a second language.

**Mr. Pablo Rodriguez:** How could one describe the status of French in Saskatchewan? Can one say there have been interesting developments, or is there reason to be concerned? What direction is this heading in?

**Mr. Denis Desgagné:** I think that the French-speaking community is probably the most vulnerable, first because of the distribution of francophones over a vast territory and also because of the fact that simply obtaining educational services in French is very difficult. I'll give you the example of the situation in Ponteix, an aging francophone community where there are very few children. It's very difficult to maintain schools in these centres. Providing French-language services to francophones is therefore becoming an ever-more-difficult problem.

**Mr. Pablo Rodriguez:** Your first comment was to the effect that you were “an army for the development of linguistic duality in Canada”. I found that very interesting. So you're still waging a battle, and there is always a struggle to defend and promote linguistic duality, and the French fact.

**Mr. Denis Desgagné:** Absolutely. Saskatchewan is land of innovation. You absolutely have to be in a creative frame of mind to find ways to provide service to these communities. It's not for nothing that we saw things like the inclusion commission, which in a way breaks the paradigm of old-stock francophones and allows some openness that facilitates the delivery of services. It is very difficult to maintain this duality in Saskatchewan. Even French-speakers, including anglophones who speak French, find it difficult to maintain the language, because they have nowhere to speak it and to nourish it.

**Mr. Pablo Rodriguez:** At the outset, you said that these agreements were an important tool and afterwards, I felt that you were being very critical until the end. It's an important aspect, but you'd like to see a lot of corrective action, is that right? If I understand you correctly, you say that from a budgetary standpoint in particular, you are below the minimum allocated to each organization. So if I understand correctly, there's no annual indexation. Therefore, the amount we're talking about is the same every year.

Do you have some idea of the percentage by which these amounts should be increased? Would there have to be a significant increase in the envelope?

**Mr. Denis Desgagné:** The first Canada-community agreement signed in Saskatchewan was for about \$4 million, and today it is slightly over \$2 million. The first agreement was signed 15 or 20 years ago approximately. Today, we're getting a little over \$2 million. I think that if we were closer to the initial amount of \$4 million, we would be more effective in terms of development.

**Mr. Pablo Rodriguez:** You stated—and I think that Mr. Denault touched on this as well—that particular characteristics are not taken

into account. In your case, you used the expression “one size fits all”. I'd like to hear both of you on how this could be adapted to each community.

**Mr. Denis Desgagné:** There would need to be an analysis of the vital minimum, for example. If you're in Manitoba and the community is near St. Boniface where you don't have long distances to cope with, that's an advantage. I think that one of the aspects is the vital minimum in our province.

**Mr. Fernand Denault:** In fact, you have an advantage in the north, in the Northwest Territories, because this is an infrastructure, a creation of your Department of Indian Affairs and Northern Development and an institution of this House. You already have data within your government that allows you to obtain the necessary information on the particular characteristics of the north. In fact, you accept this in all other areas except ours. And your funding in other areas respects these notions, except in our case, because we're stuck in this “one size fits all” mould.

● (0940)

**Mr. Pablo Rodriguez:** Mr. Denault, you said earlier that you wanted to sign an agreement between partners who respect one another. So to your mind, this mutual respect does not usually exist, that is, you feel that there is no respect on the part of the government for the communities. This is what I take from your comments.

**Mr. Fernand Denault:** Our case may be an extreme one. I must point this out so that it's clear: we're putting our cards on the table here, this is no place to hide things. Right now, one of your institutions, namely the Government of the Northwest Territories, which is included in the structure of the Department of Indian Affairs and Northern Development, has a Supreme Court ruling against the Northwest Territories for systemic discrimination against its francophone citizens. It's not pretty, but what led to this? You have to look at how the House thinks about these things. Quite obviously, there's some indifference, and we know through testimony that a *laissez-faire* policy led to this situation. Your group must therefore make an effort to become seriously aware of this in order to correct things. As Denis mentioned earlier, there has to be a valid analysis to really find out what the minimal needs are.

**Mr. Pablo Rodriguez:** I only have 30 seconds left.

Did you express your comments to Mr. Lord? Did you meet with him?

**Mr. Fernand Denault:** Yes.

**Mr. Pablo Rodriguez:** Is he aware of the needs and the recommendations that you made to this effect?

**Mr. Fernand Denault:** Yes.

**Mr. Pablo Rodriguez:** All right.

**The Chair:** Thank you very much, Mr. Rodriguez.

We will now move on to the representative of the Bloc Québécois, Mr. Richard Nadeau.

**Mr. Richard Nadeau:** Thank you very much, Mr. Blaney.

Good morning gentlemen.

The agreements between Canada and the communities, which became collaboration accords, were born of the upheaval created by the Meech Lake Accord. One will recall that the Conservative government of Mr. Devine in Saskatchewan had decided not to go forward with school governance, even though the federal government and Mr. Mulroney had deposited the money. This had become known in Quebec, and the Conservatives and the federal government had to find a way to show Quebecers, who were thinking about signing the Constitution, that they were loved anyway even though terrible damage was being perpetrated on francophone communities.

Following that, the first agreement took place. It involved a little over \$4 million for Saskatchewan. In fact, that was the first community to benefit from an agreement. Then Mr. Chrétien's government arrived and reduced the agreements by 37%. I know that it was 37% in Saskatchewan. They wanted to cut 52%, but people were up in arms. I was there back then and so were you. The Liberal government, which has always had a tendency to take francophone minority communities for granted, was a sort of double-edged sword for these communities.

You will recall the Schneider report which proposed to make a clean slate of it with all francophone organizations and the agreements in question. This is when the ACFC became the ACF and the provinces had to fall into step. It was the same thing in Ontario with the ACFO. They had to follow and restrain themselves and yet the fundamental goal of each of these organizations was to fight assimilation.

The study by Roger Bernard of the Fédération de la jeunesse canadienne-française was tabled in the 90s. It stipulated that I don't know how many billions of dollars had to be invested simply to achieve the equity that existed in 1951. Indeed, these communities were more lively back then than they are today, as assimilation has caused terrible devastation. The agreements, which were of a completely political nature in the Quebec debate, became a constraint whereas they were supposed to provide assistance.

The Fédération des Acadiens de la Nouvelle-Écosse preferred to do without the agreement because it was less constraining, and they still obtained support. My wife worked over there in the schools of the Acadian communities. She was fired by the federal government and then reinstated by the Department of Canadian Heritage. In all this upheaval, certain things were clarified for the Acadians and showed them that not having an agreement was less onerous. Today, annual agreements force the organizations that don't have the necessary money to pay decent salaries to have a very high number of employees. We have to tell it like it is.

There's also the interdepartmental work. It should not just be the Department of Canadian Heritage and the Standing Committee on Official Languages that has to answer to the Canadian francophone minority, it should be up to all departments and to the entire federal government to do so. But that is not the case. We talk about it here. The Department of Canadian Heritage must do its share. Sometimes, it makes unilingual English presentations in your communities for francophones. We know the story; this is all very recent.

With regard to human resources, I've just discussed that.

And with regard to accountability, some organizations must produce reports, monthly in the case of some projects, when their offices only have four employees for the entire province.

I took a lot of time to paint the picture, but I'd like you to tell us what the possible solutions are. What could be done in the medium term to recreate authentic aid from the federal government for your communities?

• (0945)

**Mr. Denis Desgagné:** If linguistic duality seems impossible in Quebec and everywhere else in Canada, it has to become possible in Saskatchewan if we want it to become possible in Quebec. That means that the whole government apparatus must fall into step, respect the legislation and take the measures provided for in part VII which is still very inactive after I don't know how many years.

You talk about four employees per association or organization, but the majority of our organizations only have one employee. These are local organizations that provide services to French-speaking citizens. That sole employee must take care of administration, otherwise there will be no more resources and if there are no more resources, he will have to close the organization's doors. That amounts to saying bye-bye to services for the citizens. There must absolutely be a genuine analysis of the needs, province by province, territory by territory, and then we must ensure that we'll be in a position to offer genuine services, so that actual French-speaking citizens can have access to them. Whether it's early childhood, health care or other fields, it has to be possible to live in French in our province.

In our province, French is a little bit like Latin. It's spoken in school—where you can get one—and it's still spoken at mass sometimes, even though that's also being lost because of a labour shortage. If we continue this way, if we can't buy a litre of milk in French, the same thing will happen as did to Latin: French will simply disappear. If we truly believe that French is fundamental to this country, let's invest the money and provide the necessary tools. That's the solution I propose. I'm saying the agreement is a good tool, but it's heavily criticized. It's as if we had to hammer in a nail with a monkey wrench.

**The Chair:** Mr. Denault.

**Mr. Fernand Denault:** You mentioned the issue of national unity at the start of your presentation. It is a very important subject we think about often. We can all see what is happening across the country, and we frankly believe that if francophone citizens and their rights were respected, and if they were treated the same way as anglophone citizens, we would not have a national unity problem. Of course, we have problems with the economy and with our multinationals, but that's another debate.



The situation would also be better if our politicians, regardless of where they are, which party they belong to or the language they speak, since this happens everywhere—did not keep on talking about the phenomenon of marginalization. They say that there is only a handful of francophones here and there, and that it is nothing we should worry about; they adopt a defeatist attitude when they say that francophones have almost completely disappeared. They are throwing in the towel even before the end of the game. This is a very human attitude, but we would expect more from our parliamentarians. In short, if this attitude did not exist, it would be much easier to fix our national problem.

**The Chair:** Thank you, Mr. Denault. We have taken due note of what you said.

Mr. Lemieux.

**Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC):** Thank you for your presentations.

Collaboration is important because it is the mechanism by which the government funds organizations representing minority official language communities in each province. Your organizations play a critical role. Indeed, you play the role of coordinator, which is important for all the other organizations in your province. Agreements differ slightly from one province to the next because of the differences between the provinces.

I would like you to tell me what mechanisms you have implemented to ensure that your organizations are represented within the communities in which you operate. What do you do on the ground to ensure that each organization's voice is heard?

• (0950)

**Mr. Fernand Denault:** Our committee analyzed the needs of the whole community and made recommendations at our annual general meeting. That was part of a mechanism that had been accepted. It was a pilot project that was seen in a positive light by all francophone and Acadian communities throughout the country. Then, we all worked together to express our needs and to try to find solutions rather than fall into the traps that often divide communities which are all extremely hungry. For example—and this goes back to the question that was raised earlier—the budget for this agreement has been the same for 10 years, except for the paltry 11% granted two years ago. Is there anyone here who could manage a household with the same salary for 10 years, without a raise? It is unthinkable. Moreover, these amounts were far from meeting the needs that existed even at that time.

Considering the meagre amounts that we were given, we felt that this was the best way to prevent dissension, because we still managed to get along. Things also worked well with Heritage Canada. However, it was a pilot project, and it was not renewed because of a change in policy at the Department of Canadian Heritage.

I would like to mention a mistake that someone made earlier in saying that people from the Department of Canadian Heritage only spoke in English when they traveled up north. That is not correct. It is the members of the House of Commons committee who conducted their hearings in English only when they visited us to discuss the Canadian Heritage file. That led to a number of situations that were impossible to manage. It was also the subject of complaints to the

Commissioner of Official Languages. We don't have that type of problem with the department and its officials, it's the House of Commons that seems to have these problems.

**Mr. Pierre Lemieux:** Mr. Desgagné, what is the situation where you live?

**Mr. Denis Desgagné:** The mechanism that we use is governance. It is based on the responsibility of the players—they must be responsible—and on their interdependency. We try to use this governance to create a type of cohesion. I say that we try because we haven't yet succeeded in doing that. We are still working on it. I believe that Saskatchewan has made further innovations when it comes to governance. We have held elections. We divided the territory into 12 districts. Citizens go to their community centres to vote for their representatives. The president is elected by all of the citizens. A citizen from Zenon Park can vote for his member and for the president.

Then, the president appoints a type of cabinet or executive committee. Each community member has responsibilities for a given sector or sectors. For example, the member for Gravelbourg can be responsible for education, the community member for Saskatoon can deal with health issues as well. We try to establish a dual link between the assembly—the governance of the Franco-Saskatchewanian community—and the other surrounding organizations. They represent the ties that bind the two, and when decisions are made, all sectors of the territory are involved. That is how decisions are made.

For example, with respect to the distribution of funds, everything is transparent and public. The distribution is discussed by the assembly of members, and the members vote publicly on the distribution. Moreover, the Franco-Saskatchewanian community has a good idea of what will happen in 2008-2009, but we are still awaiting the minister's signature. In an ideal world, we would have enough autonomy to be able to tell people what they can expect for the coming year, according to our priorities.

That sums up the approach that is used by the Franco-Saskatchewanian community.

• (0955)

**Mr. Pierre Lemieux:** You even use this process to set your priorities. When travelling with the Standing Committee on Official Languages, I heard a number of presentations, in every location. The needs are always great, and the resources are lacking. It is essential to establish priorities, and the approaches that you use to do that are quite similar.

**Mr. Denis Desgagné:** The entire network adopts an overall development plan. Participation in the process is open to all citizens. The plan is spread over a five-year period. Priorities are set, but we are never able to have a true impact on the development of the community. There are parents whose children are enrolled in a school but who do not have access to any other type of service because nothing is available to them, be it services provided for preschoolers, for health care or communication.

Currently, in Saskatchewan, Radio-Canada is not available to most French-speaking listeners because the CRTC decisions have resulted in our lack of access to satellite radio. It doesn't matter if we are in Regina or in Zenon Park, we don't have these services.

So how can we have any type of impact on the priorities of families who have a type of French-language school but who are denied other services? It would not be entirely truthful. When priorities are managed in that way, we lose sight of what really matters.

**The Chair:** Thank you Mr. Desgagné.

If committee members are in agreement, we will now move on to Mr. Mulcair from the New Democratic Party.

**Mr. Thomas Mulcair (Outremont, NDP):** Thank you, Mr. Chairman.

I would like Mr. Desgagné to explain his concept of sharing with the provinces. I admit that I have a hard time understanding how that could apply to Quebec. Perhaps he could explain how he sees this cooperation unfolding.

**Mr. Denis Desgagné:** First, the problem is that when we go to speak to our provincial government to ask for a service to which all citizens of Saskatchewan are entitled, it's as if we had the word "federal" written across our forehead. It's as if we were Canadians who had lost their way and had no place to call home. We are told to go and see the federal government. It's the federal government that will provide funding for the Fransaskois.

**Mr. Thomas Mulcair:** As if you were a second-class nation.

**Mr. Denis Desgagné:** I don't even know if you can call us a nation. We don't yet have that luxury. With respect to education, for example, it's as if the provincial government had developed its own education culture. When we deal with the francophonie, we must often begin with the Department of Education before dealing with other departments. Ideally, in agreements related to infrastructure, for example, if there were some type of clause that compelled the government to consult with the Saskatchewan French-speaking community, it would allow us to really work with our government.

We see this with immigration, for example. Mr. Coderre ensured that we would have a clause to cover that. We were able to develop a type of partnership with our government. We have not yet accomplished what we set out to do, but at least we are at the table, we are negotiating, we are working together, and officials are more aware of the community's needs. If that were done systematically for all of the agreements, we would have a much better partnership. With the resources that are available, it would be much easier to negotiate with the federal, provincial and municipal governments. We would have a tripartite agreement and it would be much easier to move forward in the area of linguistic duality.

• (1000)

**Mr. Thomas Mulcair:** Mr. Denault, can you give us an update on the translation of the statutes in the Northwest Territories?

**Mr. Fernand Denault:** The laws have been translated, but they are not being respected. We feel that things should be simpler because we come under federal jurisdiction. It would be logical to think that it would be easier to exercise some influence, and that we would have a little more clout, but there is no evidence of that. It is related to the factor that I mentioned earlier, namely, indifference.

How often do we hear a member in the House of Commons ask the Minister of Indian Affairs and Northern Development a question related to his responsibilities for the North? Almost never. However,

he does have a great deal of authority. For example, when Nunavut was created, there was no need to consult with the entire country: but we still needed the signature of the Minister of Indian Affairs and Northern Development in order to have our new territory called Nunavut.

That leads us to believe that he does have the necessary authority to deal with other issues. But that is not being done and indifference is the reason why.

**Mr. Thomas Mulcair:** Are the laws now being translated in this part of the former Northwest Territories that has become Nunavut?

**Mr. Fernand Denault:** That is supposed to be the case, but I don't live there. You would have to ask the representative.

**Mr. Thomas Mulcair:** You aren't aware of what is happening.

**Mr. Fernand Denault:** We suppose that it is being done. The Northwest Territories' obligations were transferred to Nunavut when it was created. In Nunavut, French and English are on the same legal and constitutional footing.

**Mr. Thomas Mulcair:** Thank you.

**The Chair:** Thank you.

We will now begin our second round with Mr. Brent St. Denis, from the official opposition.

**Mr. Brent St. Denis (Algoma—Manitoulin—Kapusking, Lib.):** Thank you Mr. Chairman, and thanks also to Messrs. Desgagné and Denault.

I represent a large riding that includes a number of small francophone towns where a good part of the population operates in both languages.

My friend Richard Nadeau raised the issue of excessive bureaucracy, or red tape. There is a large network of volunteers who work very hard for the nation and the region and nobody is paid to manage them. It is a gift for the nation. Without that network, the nation would be the poorer.

[*English*]

Because of these two very important notions, at the same time we demand a great level of paperwork from the small organizations. There is a use of volunteer time that would otherwise be used in the service of minority languages, health services, or social services—it doesn't matter.

[*Translation*]

Many small organizations are faced with a lack of resources, even though they have a considerable amount of paperwork to deal with on a monthly and an annual basis.

[*English*]

It seems to me that the typical income-tax payer might pay, depending on their income, \$20,000, \$30,000 or \$40,000 and up per year—and we don't get audited, except by exception once in a while. But we insist that each of these organizations....

[*Translation*]

There has to be some way to ensure that we are accountable for the use of taxpayers' money. I would like to deal with the balance between

[English]

the idea of audit demands, and the need to put our volunteers to the best use, whether it's for official languages or any other service to the country.

• (1005)

[Translation]

**Mr. Fernand Denault:** I appreciate the question. It is clear that you have understood what we were saying earlier.

We are proud to be accountable. We are proud to be able to manage the budgets that we are given and do it responsibly. The volunteers are proud and everyone is in the same boat, it is part of the learning curve, etc. However, we hate to have to use one-third of the resources that you give us to simply fill out your forms. But that is what is happening now. With the changes in accountability at Heritage Canada, our employees spend 33% of their time filling out your forms. That is way over the top. This all began with the problems at Human Resources Development Canada.

There were no problems with our groups and our files. However, we were publicly dragged through the mud and we had unreasonable accountability criteria imposed upon us.

We like to hear people say that we are giving our nation a gift, but it is a rather strange gift because we have to constantly fight for our place. We are criticized for being demanding. People try to make us feel uncomfortable because of what we are advocating. However, it is the person who has no respect for the rights of an individual citizen who should feel uncomfortable; not the person who is advocating that right. You are not an advocate if you are not asking for something to which you are already entitled.

It is hard for us to feel like we are giving something to the nation when the Department of Justice continually finds itself on the other side of the issue and regularly loses its case. What is wrong with a government that sends our Department of Justice to work against the rights of a citizen, to reduce costs or the risks to the government, which has not respected the right of that citizen? Something is wrong with this system. It's a pretty strange way of doing business.

**The Chair:** Thank you Mr. Denault.

We will now move back to the government side with Mr. Luc Harvey.

**Mr. Luc Harvey (Louis-Hébert, CPC):** You said that you had trouble with the satellite transmission of Radio-Canada in French. I am a Bell ExpressVu subscriber and I can get Radio-Canada signals from the Atlantic provinces and from Quebec. I can listen to the same newscast four times a day, every hour or two, according to the time zone. The satellite is up in the air. I don't understand why you would have any trouble with reception. I am trying to use my imagination, but I just don't understand.

Can you help me out here?

**Mr. Denis Desgagné:** I will be happy to. The answer is quite simple: the CRCT decision on satellite broadcasting is made according to time zones. Our time zone is located in the middle of Saskatchewan. We are either in the Manitoba or the Alberta time zone, depending on the time of year. Saskatchewan is not available

by satellite because the reception is based on the time zones. Saskatchewan is not currently an option.

We have complained, we have done whatever we could. The francophones in Saskatchewan cannot see themselves represented on television at this time. If a flood or some other event were to occur, we would see that on the national news; otherwise, we have no way of seeing ourselves represented on TV.

**Mr. Luc Harvey:** You can receive television signals, but you have no local news.

**Mr. Denis Desgagné:** We get the news from Manitoba via satellite, or news from Montreal, but there is no news from Saskatchewan.

**Mr. Luc Harvey:** I see. It is because of Radio-Canada and not because of the satellite.

**Mr. Denis Desgagné:** It's because of a decision made by the CRTC. We are not one of the choices that are available via satellite. The decision was based on the time zones.

• (1010)

**Mr. Luc Harvey:** For example, at home, I have the choice of SRC "V" for Vancouver, "W" for west. But "W" does not include Saskatchewan.

**Mr. Denis Desgagné:** It includes either Vancouver or the other ones, but not Saskatchewan. It is not available. We don't have that choice currently.

**Mr. Luc Harvey:** We should have CBC and "S".

**Mr. Denis Desgagné:** We can watch the stations in other provinces via satellite, but not Saskatchewan. Do you understand? A Fransaskois subscriber to Bell can watch Radio-Canada from Manitoba, from Montreal and from Vancouver, but not from Saskatchewan. It is available on cable, but not via satellite.

**Mr. Luc Harvey:** I see.

**Mr. Denis Desgagné:** I am referring to local newscasts.

**Mr. Luc Harvey:** But you have a signal. However, you can't watch the network for your province.

**Mr. Denis Desgagné:** We don't have that option with the satellite.

**Mr. Luc Harvey:** I see. That was the part that I didn't understand.

**Mr. Denis Desgagné:** Most people who live in Saskatchewan, even in Regina, receive their television signals via satellite. It isn't necessarily because they live in remote areas, but because satellite television is becoming more and more common. For local news, the best source is the Internet, at least for those who have high-speed access.

**Mr. Luc Harvey:** Has the government imposed a general framework? Are you able to develop your own administrative structures and your own management tools? Can you talk to me a little bit about that? Do you have that kind of autonomy?

**Mr. Denis Desgagné:** Yes. We have some autonomy, but I would say that we are rather dependent. To some extent, we are able to determine our own mechanisms and work with people. For example, in Saskatchewan, we are responsible for community governance; in other provinces, some associations have a certain number of representatives. As long as we comply with the legislation, we can adopt our own governance and partnership structures, among other things. We have that independence and this opportunity.

**Mr. Luc Harvey:** Mr. Desgagné and Mr. Denault, I live in Quebec City. I am a Quebec City resident. Even if there is an extremely high francophone population and we have universities close by, it is difficult to find workers in a number of sectors, and mainly, there are shortages in health care. This is not only true for your regions, but for all regions. I can understand some of your frustration, which we share. This phenomenon is being felt across the country due to the aging of the population. Demand is high, because there are a number of positions to fill. I understand your position, but this is happening throughout Quebec and Canada.

**The Chair:** Thank you, Mr. Harvey.

It is now the turn of Mr. Gravel from the Bloc Québécois.

**Mr. Raymond Gravel (Repentigny, BQ):** Good day. Mr. Desgagné, a number of years ago, some of my family members settled in Gravelbourg. My name is Gravel. It was my mother's aunt, and I know that she was a nun. She was a cloistered sister at the Précieux-Sang there, and she wrote to us to complain because there were no francophone schools there. My aunt's children spoke French, but her grandchildren were completely assimilated and couldn't speak a word of French. Even today it's completely anglophone.

We know that the schools are where it happens. Earlier, you mentioned a small community, Ponteix, where the population is aging. Consequently, there are fewer young people and fewer children. What efforts are you making to ensure that these children are educated in French? Otherwise, they will be assimilated, as we have seen in the past when there have been no French schools.

**Mr. Denis Desgagné:** First, we have only had the right to a French education for 15 years. It was illegal in Saskatchewan. So, it has been only 15 years. There was a private school in Gravelbourg that offered French courses. Quite often, it offered such courses throughout all of the west. In Ponteix, there is a small school in a community centre, and we often use video conferences to provide various other courses. This school has only one resource staff member, meaning a teacher who is responsible for running the school and who does everything with an assistant. We use all possible means to provide services to the young in our community. Ponteix is approximately one hour from Gravelbourg. Some parents, because this school has only six or seven students, opt to send their kids to Gravelbourg at their own expense. That is more or less how we manage. At the same time, we are trying to develop the economy in this community to attract new families who speak French, among other things.

As I said, there is a lot of innovation in Saskatchewan: we don't have a choice. When someone asks for a service to be provided, we do everything we can to ensure that it is.

• (1015)

**Mr. Raymond Gravel:** I have another question, perhaps for both of you. Do you ever compare yourselves to the anglophone community in Quebec?

**Mr. Denis Desgagné:** Yes.

**Mr. Raymond Gravel:** Are you able to draw the parallel and, if so, what is it?

**Mr. Denis Desgagné:** There is no comparison in my opinion. There is no shortage of institutions. An anglophone in Quebec can get a post-secondary education in English, is entitled to better hospitals and so on. Furthermore there is a sea of English-speakers in Canada and, consequently an anglophone in Quebec doesn't feel like a minority as is the case for a francophone in Gravelbourg, where we are alone and isolated. They're two separate realities and we shouldn't compare them when we talk about funding and capacity. We shouldn't do that; it's a huge mistake that is made every year within the framework of the Canada-community agreements.

There are so many services. I am originally from Quebec. Whenever we met an anglophone, we did everything we could to speak English to him or her. When we were outside Quebec and we spoke in French, we were told to speak white. There is no comparison. I am talking about Radio-Canada. I don't agree when people say that anglophones can feel the same way in Quebec. It's not the same thing at all. In Quebec, there are choices, a wide range of television channels, radio stations and other types of media, among other things. In Saskatchewan, there is Radio-Canada, Radio-Canada and Radio-Canada, and we are told about traffic in Montreal. In terms of identity, it's hard.

**An hon. member:** It's the same thing in Ontario.

**Mr. Raymond Gravel:** Yes, I would like—

**Mr. Fernand Denault:** Our situation is somewhat different. In legal terms, French and English are equal. So, we are trying to make comparisons with anglophones in Quebec, but we do not compare ourselves to anglophones in Quebec. There are many reasons for that. In large part, I agree with what Denis just said: we certainly don't have the resources that the anglophone population in Quebec has.

**Mr. Raymond Gravel:** Do the young francophones in your provinces want to keep their French or do they want to be assimilated?

**Mr. Fernand Denault:** Yes, they want to keep their French, but there are challenges. In light of the testimony of members of our community and territorial and federal government employees, the judge realized that there were infringements to our dignity and our sense of identity. And that's why the judge handed down a decision saying that there had been discrimination. These things are also important in keeping one's identity. We can't keep getting hit on the head. Exceptional measures need to be taken to retain who we are when we're being constantly assaulted. We need adequate schools able to really provide equivalent services to what anglophones have. We don't have that either, but we continue to work and we are seeing some success.

**The Chair:** Good. Thank you, Mr. Denault.

We'll move on to Mr. Mulcair.

**Mr. Thomas Mulcair:** Thank you, Mr. Chairman.

I'd like to come back to Mr. Desgagné. One thing isn't clear to me. Earlier, I specifically asked him how he saw the situation in Quebec. He's just talked about Quebec, and he clearly understands the situation. I admit that I'm having trouble seeing how he can draw a direct connection with the provinces in this area, without of course granting subsidies as is being done in the area of second language education in the provinces. I'd like him to expand on that.

• (1020)

**Mr. Denis Desgagné:** If the agreements went through the provinces, the provincial government would become responsible to the public. We have worked, with regard to the Mercure case, to ensure that our province is bilingual. Approximately two months later, after the Supreme Court handed down its decision, the government ensured that the province was unilingual. We have been fighting this government since 1988 to obtain services and the means to live in French. We mustn't forget that the majority of services are not being provided by the federal government but rather by the provinces, be it in health care or in another area. If we don't take those steps with the province, it won't develop a culture of responsibility to linguistic duality. That is the federal government's responsibility.

**Mr. Thomas Mulcair:** Are you not afraid, if the money were to go directly from the federal government to the provinces, of losing your say on how that money is spent and how the needs will be met?

**Mr. Denis Desgagné:** I can give you an example with regard to workers. Responsibility for workers has been transferred with obligations. So, in terms of workers, we are working with the province and we get to have our say. To be frank, when it comes to the administrative complexities, it's much easier to deal with the province than with the federal government.

**Mr. Thomas Mulcair:** I agree with you there.

**Mr. Denis Desgagné:** Consequently, we have a better partnership and we are working with the overall department on the issue of workers. What we're doing in our province is even being repeated elsewhere, and we find there is a better synergy between the community and the province.

It's become normal to be French-speaking in Saskatchewan. We are no longer lost Canadians. We can be bilingual, we can be Franco-Saskatchewanians and live in Saskatchewan, and it's normal. So we want to make the French fact normal.

**Mr. Thomas Mulcair:** One thing that keeps coming up these days, be it in a francophone majority province such as Quebec or elsewhere, is that we're trying to ensure an equal distribution of immigrants. In the past, immigration has been concentrated in the major urban centres.

Perhaps we can draw an analogy with francophone communities. I know that there is a lot of work being done in Manitoba by a very active community to attract francophones, be they Belgian, Ivorians, Swiss or French, to ensure that the community itself can maintain a certain critical mass. If we're talking about institutions and all that, if they are disappearing, it will be difficult to maintain them.

Are such efforts being made in the Northwest Territories and in Saskatchewan? Are they successful? Are you getting help from the federal government?

**Mr. Fernand Denault:** The Northwest Territories are just starting to take an organized approach to immigration, and it seems very promising. In fact, we have a good relationship with the federal Department of Immigration. However, it's something that's more or less understood in various parts of the country.

A few weeks ago, here in Ottawa, at a Senate committee, I was asked a question as to whether we weren't afraid of not finding francophones in the future. It was a question about who the real francophones would be.

I would answer that we should remember the history of western Canada. In western Canada, we could also ask who the real anglophones are because once the Metis and aboriginal resistance was beaten, the Canadian west was inundated with people from throughout the world. It was anglophone assimilation and a lot was done to assimilate those people. Today, the same question applies. Who are the anglophones in Canada? That's a bit puzzling. If you want to make things a problem for one party, they can be made hard for the other party too.

So we see a better future and certainly a diversified one. Culturally speaking we see a wealth that's difficult to image by jumping head first into—

**Mr. Thomas Mulcair:** I much prefer the way in which you concluded, in saying that you see a better future, rather than the talk about making things difficult for others.

**The Chair:** Thank you, Mr. Mulcair.

You may quickly respond.

**Mr. Denis Desgagné:** It's one and the same. Immigration in our neck of the woods is going very well: 100 new families have arrived. This is, nonetheless, something new in Saskatchewan: 100 new families settled there last year. The problem is that this leads to other difficulties and other priorities in terms of needs. Often, the immigrants are picked through a candidate selection program, but there are also refugees with challenges, and we then need to find solutions to those challenges if we want to ensure real integration. Here again, resources are needed to really help these people.

• (1025)

**The Chair:** Thank you, Mr. Mulcair.

Thank you, Mr. Desgagné.

We will now begin the third round. We will start with Mr. Jean-Claude D'Amours.

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Thank you, Mr. Chairman.

I want to thank you for coming here this morning.

First, Mr. Desgagné, I can understand you when you talked about the television because in Atlantic Canada, when highway 40 is flooded in Montreal, the *L'Atlantique en direct* broadcast is interrupted to explain the inexplicable for an entire day.

To some people, this is important and perhaps our situation isn't as bad as yours. Perhaps we're even a little spoiled, but it's frustrating when those kinds of things happen. We wonder about the need to devote an entire day to explaining the flood, because it can't really be explained.

Still, I'd like to come back to a few things. Mr. Denault, you mentioned earlier the issue of discrimination. People may recall that schools were able to be built in the Northwest Territories for francophones, but under a specific program. We can recall the entire controversy regarding the program called the Court Challenges Program, which allowed francophones in the Northwest Territories to obtain a French school.

You were talking about discrimination. Could you quickly tell me how the francophones in the Northwest Territories are currently able to defend themselves and promote their rights when it comes to complaints of discrimination? Do they have the financial capacity to do so or are they left to their own devices because of the current situation?

**Mr. Fernand Denault:** As a result of the current situation, we are left to our own devices. The Court Challenges Program has been the key to all the improvements and ensured the advancement of this file. We have been able to expand our schools to provide secondary school services. At each stage, parents wanting to have schools and improvements had to appear before a judge. In order to obtain governance of those schools, threats had to be made. The cutting of the Court Challenges Program made things more difficult, it's true, but not impossible, since we are stubborn.

**Mr. Jean-Claude D'Amours:** I can imagine. You said earlier that you had made recommendations to the former premier of New Brunswick, who recently tabled a report before the federal government. I imagine that you touched on a number of issues, including the Court Challenges Program. If so, do you feel that your comments were heard? Do you believe that the federal government wants to try to eliminate the discrimination that you and the people in your community are currently being subjected to?

**Mr. Fernand Denault:** Things would certainly be much easier if there were more harmony between the federal government's words and its deeds. One day, we hear a fine-sounding speech, and the next day they cut the Court Challenges Program. This was not a very expensive program, just a few million dollars. But we were very proud of it. The UN actually congratulated us on this program, which it saw as a wonderful way of achieving social justice. This amazing little program allowed us and other citizens to seek redress before the courts when the system let them down. It's the only tool we ever found for making some headway.

**Mr. Jean-Claude D'Amours:** Thanks to this program, you could defend your rights. Did you mention that in your demands?

**Mr. Fernand Denault:** Yes.

**Mr. Jean-Claude D'Amours:** Do you think you were listened to?

**Mr. Fernand Denault:** I think there are weaknesses with the community component and education in French as a first language. We have not yet completed our analysis of this program. Do you remember the first program that was implemented by a different government? There was very heavy support for French immersion programs in English-language schools. Our schools got nothing from

that program. Now, at least, they are mentioned. This is certainly less visibility than we would have liked to have had in the report, but at least we are mentioned.

• (1030)

**Mr. Jean-Claude D'Amours:** The Action Plan for Official Languages came to an end yesterday. Today, April 1, we find ourselves with nothing. Do you think that is acceptable?

**Mr. Fernand Denault:** Having nothing is never acceptable.

**The Chair:** Thank you, Mr. D'Amours and Mr. Denault.

I would just like to remind committee members and witnesses that the committee has studied the Court Challenges Program and that there was a separate report on it.

We will now move to the Bloc Québécois, represented by Mr. Nadeau.

**Mr. Richard Nadeau:** Thank you, Mr. Chairman.

The Court Challenges Program, which has been discussed by this committee, is not mentioned at all in Mr. Lord's report. Earlier, Mr. D'Amours talked about the Northwest Territories and Saskatchewan, but the fact remains that most of the provinces with French-speaking minorities have had to use the program because their governments did not comply with the Canadian Constitution and the federal government completely closed its eyes to the situation. So people had to go to the courts, and even go back to the courts in some cases. I'm thinking of Saskatchewan, for example, where it was necessary to go back to the courts twice in the case of the same judgment because the government was not taking any action.

Can you give us some examples of situations in which the Court Challenges Program would still be useful today? I am thinking of the cases involving Justin Bell or Martin Rousseau. They were stopped by the RCMP, requested service in French, and were rebuffed in no uncertain terms. Could you give us some examples that show how essential the Court Challenges Program is and illustrate that the government should listen and reinstate it immediately?

**Mr. Denis Desgagné:** You gave the two examples that sprang to mind immediately when we were talking about this. In the case of Justin Bell, the Assemblée communautaire fransaskoise had to take over. These are development tools for us. If we do not defend our rights at the political level, we can still turn to the courts. But at the moment, that is not an option. We could not support young Mr. Bell.

This also answers the question as to whether young people want service in French. All Justin Bell did was to request service in French and he was reprimanded, spoken to in German and put under arrest. If the federal government does not show some backbone and assume its responsibilities for linguistic duality, what point is there in young people trying to get services in French? Rather than relying on the federal government, it is up to us to ensure that the government acts in accordance with the Constitution. If the government does nothing, the only tool we have available to us is the Court Challenges Program.

I could give some other examples. The same thing happened to Martin Rousseau a few months later. At the moment, we have no recourse. We are relying on government, we are begging it to ensure compliance with the law.

**Mr. Fernand Denault:** I'm going to keep on repeating this because I want it to get through: our government is a federal institution. It is a federal jurisdiction. Our government found itself in a strange situation when we were asked to intervene in the CALDECH case which is currently before the Supreme Court. One of the judges raised a constitutional issue. The government did not respond. However, after some badgering by the federal Department of Justice, the government decided at a rather late date that it would intervene.

That put us in a strange situation, because the documents show that we want to present some arguments to the Supreme Court of Canada that were not supported by the evidence in the case involving the Northwest Territories at the moment. This also led us to request intervenor status in order to set the record straight. We have no funding to draw any links because the program has been eliminated. It will probably cost us \$40,000; this will not be easy for us. This will probably mean borrowing, trying to get resources elsewhere, and all sorts of other problems.

They are trying to use the back door, because they are not getting what they want by the front door. The rights of francophones in our community should be respected, but we do not have the resources to fight for them.

•(1035)

**The Chair:** Thank you very much, Mr. Denault.

We will now move to the government side, and we will hear from Michael Chong.

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** How long do I have?

**The Chair:** You have five minutes.

**Hon. Michael Chong:** I would like to thank our guests for being here.

[*English*]

You mentioned the situation you find yourself in with Radio-Canada in Saskatchewan—that you're listening to traffic reports about Montreal. It's the same thing in Ontario with English-language radio. I can tell you that Radio One in Toronto covers a broad geographic area, so farmers living in the north part of Waterloo region in Wellington County, which is hours away from Toronto, hear traffic reports about street cars being blocked at Queen and Broadview.

So this is not unique to Radio-Canada on the prairies; it's across the corporation.

[*Translation*]

With respect to funding, I know that some new procedures have been introduced to make it easier for organizations seeking funding for their programming. One of the things they can do, for example, is request funding on a multi-year basis.

Is funding being distributed in all parts of the country in such a way as to guarantee the long-term viability of the country's official language communities?

[*English*]

I ask this question because our analyst, Jean-Rodrigue Paré, has prepared some research for us. I note that the breakdown of the funding across the country is not exactly consistent with the distribution of language minority populations in Canada.

For example, in Ontario, community groups receive about \$4 million, yet Ontario has over 500,000 francophones. Across all of the prairies, community groups receive about \$10 million, yet there are only about 200,000 francophones. In the Maritimes, community groups receive about \$5 million, yet there are only about 300,000 francophones. In Quebec, the anglophone community groups receive about \$3 million, when there are over one million anglophones in that province.

Do you think the distribution of funds across the country is done in a way that ensures sufficient support for minority language communities in all regions, including Ontario and Quebec?

[*Translation*]

**Mr. Denis Desgagné:** If the only criterion used in calculating the distribution of resources is based on the size of the population, the analysis will really be rather rudimentary. I think we must take into account the adequacy of the community's institutions. What we need is a type of equalization formula.

If there are services in French in Ontario and New Brunswick—and New Brunswick is after all a bilingual province—the issues are nevertheless very different. In Saskatchewan, we have no government services, no health care services and no communication services in French. Anglophones in Ontario can get traffic reports on the CBC, but they can also get the same information other ways. In Saskatchewan, however, Radio-Canada is the only means of communication we have. It would be like Quebec without TV5. There would no doubt be problems as regards identity. I will not get into this whole issue.

The Fédération des communautés francophones et acadienne du Canada is in the process of looking at the issue of a formula. We want to find a way of meeting the development needs of each community to ensure that they can all develop properly.

•(1040)

**Mr. Fernand Denault:** I don't, in fact, think that it makes much sense to calculate the distribution on a per person basis, because there are complementary institutions. I won't elaborate on that issue, but it means that other budgets are available to the community. In Quebec, the anglophone community has access to colleges, universities, schools, and community centres, all the things we dream about. We cannot even say that exists back home. We don't have that kind of institution. There are no hospitals providing training in French. Of course there is the Montfort Hospital in Ottawa, but Ottawa is nowhere near Yellowknife, is it?

These comparisons are unfair. It is like Denis was saying earlier, we must adopt a responsible approach. As regards enhancing the vitality of the community, bear in mind that there are now obligations to produce results. The attitude that was just good enough two years ago is no longer possible now. You now have responsibilities, and if you do not assume them, you are justiciable. Sometimes we wonder why the Court Challenges Program was abolished. Maybe it was for that reason. We can question the intention, but the fact remains that you are now justiciable.

**The Chair:** Thank you, Mr. Chong.

For now, no one has indicated that they intend to speak on the fourth round. If members wish to do so, I would ask them to inform the clerk.

We will now begin the third round with Mr. Mulcair.

**Mr. Thomas Mulcair:** Thank you very much.

I would like to ask Mr. Denault what he means by "you are justiciable".

**Mr. Fernand Denault:** I meant that you raised the bar when you adopted legislation that imposes obligations of result. That told the people of Canada that our country will now act responsibly in terms of enhancing the vitality of francophone citizens from sea to sea. The objective is a noble one, and we are completely onboard, but you will have to appear before the courts if you do not take the necessary action from now on. It is true that the Court Challenges Program is a tool to help you do that.

Some may think that by abolishing the program they will eliminate the situation, but that is not true. You have been saying for 150 years that we are disappearing. When will you stop saying that we are disappearing and fulfil your obligations and responsibilities?

**Mr. Thomas Mulcair:** In your view, it would be better to re-establish the program as it was? I am very familiar with the program. It made it possible to fund certain cases like the Forest case in Manitoba, and to entrench the right to education in French in Ontario with what was called the ACFO at the time. The base that Mr. Desgagné talked about a little earlier would not be there if those legal battles had not taken place, and that would not have been possible without that program.

Earlier, you talked about \$40,000. That is how much it costs to get a team of hired lawyers to sneeze. Is it better to continue to pool the funds, or to ensure that each group has more funds and determines its own priorities?

**Mr. Fernand Denault:** The thought of burdening groups with funding themselves completely is illogical and irresponsible. That leads to more problems. We can compare ourselves to other countries that take similar action and where progress is very slow. We thought we had something special in our country, but we see that it was perhaps less than what we had imagined.

The program was, however, a positive stress. Stress is good, it is not bad. You learn that, especially when you experience a lot of it in life. Some kinds of stress are positive, others are negative, but that program is a positive stress. Things can happen unexpectedly, but if we do not fulfil our duties, whether we like it or not a mechanism to bring us back in line is a good thing. If that mechanism is removed, that may mean that we do not want to be brought into line.

The program should be improved. It was small, before.

• (1045)

**Mr. Thomas Mulcair:** I am very familiar with these cases, and I know they cost a fortune.

Mr. Desgagné, you wanted to add something.

**Mr. Denis Desgagné:** Why fix something that is not broken? If something is not working, then just tell us. We know—and I think that we mentioned this—that there have been extraordinary results for linguistic duality. Where is the problem? Why change it?

**Mr. Thomas Mulcair:** Thank you very much.

**The Chair:** Thank you, Mr. Mulcair.

We are now moving to the last round, for those who indicated they wanted to ask questions.

Mr. Rodriguez, you have the floor.

**Mr. Pablo Rodriguez:** I won't be long, Mr. Chairman.

I am happy that Mr. Denault raised the legal issue. I chaired the Standing Committee on Official Languages two years ago, when we adopted Bill S-3 following numerous debates, and I don't get the sense that that has changed anything to date. I don't see the implementation of that component. I don't know how it is for you. I don't see the act's implementation mechanism and its implementation, do you?

**Mr. Fernand Denault:** We are trying to identify the positive steps taken in the various departments. We are just starting the exercise. To date, it is not very encouraging. There does not seem to be a link between the policy decision and departmental administration. A lot of work remains to be done in that regard.

**Mr. Pablo Rodriguez:** Thank you.

**Mr. Denis Desgagné:** I think we have gone backwards. In the past, the Learning and Innovation Seed Fund made it possible, mainly in Saskatchewan, to truly examine these issues with the federal council and to show leadership. Unfortunately, since the elimination of the Learning and Innovation Seed Fund, the committee is virtually non-existent. So we can't talk to those people about part VII of the Official Languages Act.

We cannot speak for anyone else, but in Saskatchewan, we have taken a step backwards and we are obliged, in addition to doing the administrative work, to ask people to prepare well defined demands and to document them well to show that no concrete steps have been taken with respect to part VII. Moreover, that aspect is in part VII, but there are no regulations as such. So we are in something of a vacuum.

**Mr. Pablo Rodriguez:** My last question will be brief. You talked about access to TV, and so on. Will everyone be able to watch the Olympic Games in French in Saskatchewan?

**Mr. Denis Desgagné:** Yes, everyone will be able to see them.

**Mr. Pablo Rodriguez:** Is that only if you have cable?

**Mr. Denis Desgagné:** No, with a satellite, we will have access to the Olympic Games in French.

**Mr. Pablo Rodriguez:** In French. Okay.



**The Chair:** Mr. Nadeau, you had started to—

**Mr. Richard Nadeau:** Yes. There is the interdepartmental aspect. I remember that Mr. Paul-André Baril, who worked at the Fédération des communautés francophones et acadienne, worked on this file. I saw it occasionally. What is the status of that file? Can we believe that one day, all of the departments of the Government of Canada will serve the communities? It was always offloaded on the Secretary of State, at the time, and on the Department of Canadian Heritage today. Will all departments have clearly defined duties to meet these needs as they are expressed?

**Mr. Denis Desgagné:** It is a necessity. It has to happen. That is what we gave you earlier. As a matter of fact, I will give you the documents that I was not able to submit in both languages. Even the officials of the Department of Canadian Heritage who work in our area, who have inter-ministerial responsibility, could do so with the Innovation Fund. Without the Innovation Fund, they are isolated; they're in a silo. The Privy Council Office, a central agency, had a mandate to ensure this inter-ministerial action; it was a step backward to give this responsibility to the Department of Canadian Heritage, in its own silo. The problem is not the department; it's the fact that they're working in isolation. It's very difficult to go from the Department of Canadian Heritage to Industry Canada, for example, and lead these people to play their role from an inter-departmental standpoint. Unfortunately, the officials we call coordinators 41, who are responsible for the Official Languages Act in different silos, are minor officers who sometimes speak French and who inherit this file in addition to their other tasks. This is not too good. If there is really a will to bring about change, another mechanism will have to be put in place.

• (1050)

**Mr. Fernand Denault:** First and foremost, this mechanism would have to ensure that the will of the minister responsible truly exists and that he endorses the obligations that the House of Commons took on. Then, there would have to be administrative and departmental policies in place to disseminate this fact and ensure that we're not so far from the goal.

Earlier, we referred to coordinators 41. That was before your new obligations. Things are different now. One really can't say that ministers are assuming their responsibilities on this front.

**Mr. Richard Nadeau:** I presume that you sincerely hope that the new Action Plan for Official Languages will include that exercise, namely that the inter-departmental aspect becomes a reality rather than always being part of government plans. Thank you very much.

Thank you, Mr. Chairman.

**The Chair:** Thank you very much. We are nearing the conclusion of our...

Mr. Harvey, you'd like a last word?

**Mr. Luc Harvey:** Earlier, you referred to distribution per capita only, without really calculating according to population. I don't know if you have received a copy of this document on the distribution of grants and contributions of \$25,000 or more allocated to francophone minority community groups.

In Quebec, the anglophone community is made up of about 1.3 million people and receives about \$3 million. The francophone population in the west which includes Manitoba, Saskatchewan, Alberta and British Columbia, and which accounts for 200,000 people, receives \$10 million. I believe that that reflects some sensitivity to an adjustment of the amounts paid per capita in accordance with needs. Three million dollars for 1.3 million people is about \$2.50 per capita. In Saskatchewan, there was \$2,105,330 for about 18,000 people. That's equivalent to over \$116.96 per person. Therefore it's almost 60 times more.

Do you feel that there is some sensitivity to the differences between regions?

**The Chair:** I wish to remind our witnesses that we have to leave this room soon in order to allow another committee to meet here. I would therefore invite you to make a brief comment so that we can adjourn our meeting. At the same time, I thank you for having travelled here, either by a long road or after a long flight.

Mr. Desgagné?

**Mr. Denis Desgagné:** Together with that, do you have the mechanism for distribution? No. Therefore, what is the mechanism?

In the presentation, we say that this is improvised and there is no serious action with an analysis of actual needs. If you conduct the analysis and then examine the situation per capita, it will probably be much more than you have right now in light of the brief analysis you have before you.

• (1055)

**The Chair:** Thank you, Mr. Desgagné.

Mr. Denault, you have the floor.

**Mr. Fernand Denault:** You don't have in that the whole impact of the complementary institutional services. That plays a major role. So if there was an analysis of actual needs, it would certainly have a major impact.

**The Chair:** I wish to thank our witnesses. I look forward to seeing you again.

The meeting is adjourned.





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