



House of Commons
CANADA

Standing Committee on Official Languages

LANG • NUMBER 005 • 2nd SESSION • 40th PARLIAMENT

EVIDENCE

Thursday, February 26, 2009

—
Chair

Mr. Steven Blaney

Also available on the Parliament of Canada Web Site at the following address:

<http://www.parl.gc.ca>

Standing Committee on Official Languages

Thursday, February 26, 2009

•(0900)

[*Translation*]

The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)): Good morning everyone, and welcome to the fifth meeting of the Standing Committee on Official Languages.

This morning, we have the pleasure of receiving committee members' favourite witness, the Commissioner of Official Languages. Mr. Fraser is accompanied by Ms. Lise Cloutier, Assistant Commissioner, Corporate Services Branch; Mr. Pierre Coulombe, Acting Assistant Commissioner, Compliance Assurance Branch; Ms. Pascale Giguère, Acting Director, Legal Affairs Branch; and Ms. Johane Tremblay, Acting Assistant Commissioner, Policy and Communications Branch. We are pleased to have you here as part of the new parliamentary session.

Mr. Fraser, welcome.

Before we start, allow me to congratulate one of the members of our committee, Mr. D'Amours, who has been a father since Sunday morning. All our congratulations to your wife, Mr. D'Amours.

Commissioner, go ahead please.

Mr. Graham Fraser (Commissioner of Official Languages, Office of the Commissioner of Official Languages): Thank you very much, Mr. Chairman.

First, I want to offer you my congratulations. This is the first time I have seen you since the election. That may seem a while ago for you, but I congratulate you all the same.

[*English*]

It's always a pleasure to be here before the committee.

[*Translation*]

I would also like to thank the Chairman for introducing my team, particularly since it has been renewed.

[*English*]

I am pleased to have the opportunity to meet with you at the beginning of the new parliamentary session, and of course to congratulate all of you on the new mandate. Your committee, along with the Senate committee, is a vital link between my office and Parliament. Your reports and interventions contribute a great deal to the advancement of Canada's language rights.

It's a particularly inspiring time for me to be here because 2009 marks the 40th anniversary of the Official Languages Act. The right to use English or French in public institutions is one of the first

language rights to have been guaranteed to Canadians, and as such I thought this was an ideal place to undertake a balanced assessment of the official language successes, challenges, and opportunities in Canada 40 years after the act was adopted.

•(0905)

[*Translation*]

Significant advancements have been made in terms of official languages. They include the work accomplished by the language groups themselves, particularly within official language communities, Quebec's French-speaking population and the French-as-a-second-language movement. Other advancements are the direct result of the actions taken by parliamentarians. Lastly, court rulings have brought about changes, particularly those made by the Supreme Court of Canada. In fact, the Supreme Court just handed down a very important ruling in the CALDECH case—or Desrochers, to use its formal name on—for which I served as co-appellant. I am delighted with this ruling because it is a victory for official language communities. This case helped clarify the scope of federal institutions' obligations to deliver bilingual services.

More specifically, the Court found it important to clearly establish that a broad view must be adopted when looking at linguistic equality, and that the Government must consider the nature and purpose of the service in question to take into account the specific needs of the official language communities. In some cases, identical treatment is therefore not appropriate to achieve linguistic equality in service delivery.

I'd like to give a few examples of the gains made over the past 40 years: the increase in the bilingual capacity of the public service, although it is still not perfect; the remarkable vitality of official language communities, which this Committee has studied closely; and the slow but steady increase in the number of bilingual Canadians, both among anglophones and francophones. These advancements have benefited the country as a whole, contributing not only to its prosperity in a variety of ways, but also to the well-being of its citizens.

What are the most important challenges now? Full implementation of Part VII of the Official Languages Act remains a key priority; significant importance will be placed on implementation in the performance report cards of several federal institutions that will be published with my annual report in May. While some federal institutions have taken positive measures to support the development of official language communities and promote linguistic duality, others are still wondering about their obligations. I took note of the work done by Canadian Heritage, which issued guidelines for the application of Part VII throughout the public service.

Federal institutions must take Part VII into account when delivering their programs, particularly in applying components of the Roadmap for Canada's Linguistic Duality, announced by the government in June 2008. Obviously, I am eagerly waiting for the government to share with the public the details of the investments announced and the initiatives to follow. In my view, the silence in the recent budget on this topic was a missed opportunity. If the government truly believes that linguistic equality is a Canadian value, it must be reflected in its actions. If commitments are not clearly established or if there are delays in implementing them, setbacks are often the result. This is why the current delay concerns me. For departments and their community partners, the new fiscal year starts in 34 days. I would think that this should prompt the Government to act quickly.

[English]

I see that many of you have shown interest in how the 2010 Vancouver Winter Olympics and Paralympic Games will reflect Canada's linguistic duality. I share your interest. This global event presents a unique opportunity to show the world that linguistic duality is one of Canada's fundamental values, and to celebrate the cultural richness of its English- and French-speaking communities.

In a report I released on December 2 in Vancouver, I mentioned that the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games demonstrated some interest in bilingualism, but work remains to be done in various areas. Special consideration should be given to communications with the general public, the media, and athletes, three groups that have a key role in ensuring successful games.

My report contains 18 recommendations on such things as simultaneous interpretation, bilingual volunteer recruitment, signage, sponsor participation, the role of the games secretariat, and resources allocated to the organization's official languages unit. The report was well received by VANOC, and we are monitoring the progress.

It seems to me that translation is one aspect that poses significant problems. In fact, the budget appears totally inadequate, given the work to be done, and I'm afraid that VANOC is waiting too long to correct the situation.

In addition to this study, we've undertaken an awareness campaign among the federal institutions whose contribution is vital to the success of the games. This involves the 20 or so institutions working on, for example, security, transportation, and direct service to the public. It's important that these institutions understand that people from Canada and abroad coming to the games will expect to interact with Canadian officials in both English and French. The Canadian

Olympic experience will begin as soon as visitors arrive in Canada, not simply when they arrive on the Olympic site.

• (0910)

[Translation]

We are not only targeting the Vancouver airport facilities, but also the facilities in Toronto. Lester B. Pearson International Airport will act as the gateway to nearly half of the travellers from abroad who will be going to Vancouver. We have been in regular contact with the airport's administrators for the past several months and I recognize the immensity of the challenge in providing bilingual services during an exceptionally busy period.

Air Canada will have to take up a similar challenge. The airline's performance will be evaluated as part of its performance report card in my annual report, as will the performance of some major Canadian airports.

I am taking this opportunity to remind you that the government promised to introduce a bill during the 38th session of Parliament to maintain the language rights of the travelling public and Air Canada employees. Three bills to this effect have been introduced since Air Canada was restructured in 2004, including two from the current government, but all of them died on the order paper. The situation is critical because Air Canada's corporate structure is constantly changing, and the passage of time may make it impossible for the government to fulfil its commitment. I am therefore asking the government to introduce a new bill to fill this legislative gap as soon as possible.

Over the next few months, I will also be paying attention to changes in the federal government. We are currently witnessing the gradual departure of one generation of public servants and the arrival of another. As I mentioned earlier, I feel that public service renewal is an excellent opportunity to enhance the bilingual capacity of public servants and improve service to the public. However, if recruitment and training of new employees is carried out without taking bilingualism needs fully into account, the situation could become a source of concern.

A major change has just been made to official languages governance. Some of the duties of the Canada Public Service Agency will now be assumed by the Treasury Board. We still do not know what place official language issues will have in the future in this organization. I hope we will see changes that aim to improve the federal government's performance with regard to its language obligations as well as stronger leadership from the Treasury Board in this area.

[English]

I would now like to talk briefly about the Canadian Forces and linguistic equality, first because our discussions on this topic have always been extensive and constructive, but also to let you know that the comprehensive review of training offered by the forces is well under way. My employees have gone to several training locations over recent months. You should receive a report from me some time in the next year.

I was informed last month that the families of a number of French-speaking soldiers at the Edmonton base complained about the lack of French-language services offered by the family support centre. My regional representative has been looking into this problem for some time, and I've asked my staff to work on this with the military bases in Alberta and the franco-Albertan community. Our soldiers who are abroad for long periods should not have to wonder whether their families have access to the support services they are entitled to in their language. I believe this could have serious operational implications, and I plan to follow this issue closely.

In conclusion, I will not hide the fact that I fear that during these difficult economic times, governments will reduce investments in programs supporting the development of official language communities and language instruction. This is what happened in the mid-1990s, and the setbacks caused by that decision have barely been overcome to this day.

In a context of global trade, linguistic duality is an important asset we need to preserve. The federal government has very important responsibilities when it comes to official languages. There have always been setbacks during periods of unsteady leadership in Ottawa. Progress, on the other hand, has resulted from strong leadership. During this time of economic uncertainty it is especially important to maintain a strong hand at the helm and not jeopardize the gains made over the past 40 years.

We are obviously ensuring that the public funds used by my office are prudently managed. For example, our new internal audit committee, which I spoke to you about during our last meeting, has already contributed significantly to the sound management of our organization. At our request, the Office of the Auditor General continues to audit our financial statements each year and has given us an unreserved opinion for the fifth year in a row. All of the managers and executives working for my office are extremely proud of this mark of excellence and we intend to continue along this path.

Our work with the various federal institutions subject to the Official Languages Act is being done with the same concern for efficiency and results. During the last few months we have established new ways of dealing with complaints from the public and of being proactive in order to prevent and address situations that could lead to complaints.

• (0915)

[Translation]

Thank you for your attention.

[English]

We'll be happy to answer questions and to hear your comments.

[Translation]

The Chair: Thank you, Commissioner.

We'll now begin our first round with Mr. Pablo Rodriguez, from the official opposition.

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

Good morning, Commissioner, and to your team. I am very happy to see you here today. Thank you for accepting our invitation.

I think it's important to start the proceedings with you based on what was recently debated. Since there are a number of new members on this committee, it would be good for you to provide a wrap-up of recent months. Perhaps we could clarify certain priorities for the committee's future business.

You mentioned the 40th anniversary of the Official Languages Act. That's important, and I hope it will be celebrated. You will, no doubt, and I hope the government will as well. I assume it has plans and activities for that purpose. This is part of our identity.

Despite the ups and downs, your report is quite positive about the past 40 years. This is an essential tool that has played an important role in linguistic duality.

Mr. Graham Fraser: You always have to be measured when you make that assessment. If you compare the situation 40 years ago with that of today, there has obviously been progress. The public service was virtually unilingual 40 years ago. The country's francophones had major difficulties obtaining the right to basic services. Simultaneous interpretation only made its appearance in the House 50 years ago. Only 11 years later, the Official Languages Act was passed, despite very strong public opposition. It should not be forgotten how stormy debate was over the passage of the Official Languages Act 40 years ago. In certain parts of the country, opposition to the idea was ferocious. Now there's widespread support for the status of both official languages in Canada; that is to say that it is in the range of about 80%.

But we should not always be looking back and congratulating ourselves, when we know the ideal the Official Languages Act represents and how far it still is from being achieved. Enormous progress remains to be made. I don't need to tell you that there are problems in the areas of language of work and the offer of service.

• (0920)

Mr. Pablo Rodriguez: We've made some progress, but there are a lot of challenges. This is still an essential tool.

Mr. Graham Fraser: Yes.

Mr. Pablo Rodriguez: I'd like you to provide me with some clarification on the Roadmap for Canada's Linguistic Duality. I don't really know where we stand. Mr. Lord conducted a consultation some time ago and tabled his report in February of last year.

Mr. Graham Fraser: Yes.

Mr. Pablo Rodriguez: Exactly where do things stand? Is it in place?

Mr. Graham Fraser: I'm still waiting for details on the Roadmap. I'm starting to get a little impatient.

Mr. Pablo Rodriguez: The report was tabled a year ago.

Mr. Graham Fraser: The government announced the highlights of the plan in June. It was a \$1.1 billion plan over five years containing a number of envelopes. I said how relieved I was to learn of that announcement. I was quite concerned because there were no figures on that in last year's budget. However, I'm still waiting for the details. I'm told the department is seriously working on it.

Mr. Pablo Rodriguez: The money's planned for; there is a budget.

Mr. Graham Fraser: I'm assured that it is.

Mr. Pablo Rodriguez: You're assured that it is. I'd also like the committee to monitor this matter. This is a fundamental part of the government's official languages strategy. We're all familiar with the very important role that the Dion Plan played at the time. I assume and hope that the Roadmap will play as important a role.

I'm really anxious to see it. You have to understand that we've been here for a while. The Lord Report was submitted to the minister in February 2008, and he made it public in March. In June, some things were announced to us, and, since then, we've been waiting.

The Chair: Thank you, Mr. Rodriguez.

Mr. Nadeau, you may continue.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Mr. Chairman.

Good morning, Mr. Fraser. I have a number of questions concerning customs, the public service, Air Canada and the struggle against assimilation as a whole.

First, let's talk about customs. As you may have read in *Le Droit*, a certain Mr. Lauzière returned to Ottawa from Nevada. He wondered if he had arrived in Montana because no one would serve him in French. Have you heard about the welcome the Canadian customs service gives to people from Gatineau, from elsewhere in Quebec or Canada who return from other countries? Can they get service in French? Where are the deficiencies and what remains to be done?

Mr. Graham Fraser: There was that complaint and others. Border Services is facing considerable challenges. We were in touch with the department and, in particular, with the Ottawa Airport people. We had quite intense discussions in an effort to make them aware of and realize their obligations. So we're taking this issue seriously and we're getting to work to ensure the institution corrects the existing deficiencies.

Mr. Richard Nadeau: This is about government services or, at least, services that report to the federal government. Whoever has a business or is established at the airport must comply with the Official Languages Act; that is to say they must offer services in English and in French. That aspect should also be examined with regard to businesses. I sometimes do business with the Ottawa Macdonald-Cartier International Airport, and I see it definitely isn't setting an example in that regard.

As regards the federal public service, we're talking about renewal and recruitment. Given the new demographics and the number of people retiring, new employee cohorts will become established. That will require changes.

Don't you believe we should favour people who are already bilingual rather than ask employees to take courses every five years? We know the old refrain. People's contracts are often renewed for another five-year period to enable them to learn French. They ultimately arrive at the end of their career and still haven't learned much French. In so doing, they haven't been able to offer service in French or to work in French with their colleagues for whom French is their first language and who have a right to work in French.

Don't you believe that adequate knowledge of English and French should be an important criterion in reviewing applicants? In the same way as a physician must know medicine before being allowed to practise, shouldn't a public servant or an employee of an agency or Crown corporation automatically have to be bilingual?

• (0925)

Mr. Graham Fraser: I admit I'm sometimes tempted by that analogy with people who would like to become judges, but who have forgotten to take a law course. Although bilingualism is a major advantage, it must be acknowledged that only 40% of positions in the public service are designated bilingual. Furthermore, the right of employees to work in their language is more pronounced in certain regions of the country. It must also be acknowledged that not all students from across the country have access to appropriate language training in the other official language.

What we're trying to do is to send universities and the provinces the message that this isn't an absolute criterion for entering the public service, but it's definitely essential in order to rise through the ranks. We're also trying to make the public service understand how important it is to include the language issue in the training plans of new employees on their arrival in the public service, rather than wait for their career to progress as far as a supervisory position.

For the first time, I'm being told about the ongoing language training needs not only of anglophones, but also for francophones who arrive in Ottawa.

We shouldn't claim that every citizen has an obligation to become bilingual. The goal of the policy is for the government to be able to serve citizens in the language of their choice. Before even ensuring that people across the country have equal access to quality language training in both official languages, there will inevitably always be a need for employee training, and it is important to offer employees training at the very start of their career.

The Chair: Thank you, Mr. Commissioner.

Mr. Nadeau, you'll have the opportunity to ask other questions, but I simply want to inform committee members that I have submitted our Roadmap to the Commissioner. He'll be in a position to see that the principal aspect of the committee's work is to evaluate the federal government's support for the efforts of postsecondary institutions to promote bilingualism in Canada.

That being said, let's continue with Mr. Godin.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Thank you, Mr. Chairman.

Good morning, Mr. Commissioner. Good morning to your associates as well.

You say you are encouraged by the changes that have occurred over the past 40 years. We have to look to the future, not only to the past. Don't you think that 40 years is a long time to secure compliance with an act? Because it is indeed an act. If I drive at a 110 or 120 km/hr on the highway and am stopped by the police, can I tell the officer that I have 40 years to obey the law, or will I be forced to obey immediately?

Mr. Graham Fraser: There are laws that, in order to be enforced, require changes in behaviour, in the operation of institutions, but also in the individuals who work in those institutions. Some aspects have definitely been very slow, and I am still frustrated that institutions do not acknowledge their obligations. My work is to make the federal institutions understand that they have obligations under the act and that they must meet them.

• (0930)

Mr. Yvon Godin: I agree with that, but, in another sense, there is an act. Let's take a private at National Defence who wants to work in his language, who wants to learn his occupation in his language, but can't do that. There's a violation of the act. It isn't simply a matter of telling an institution that it has 40 years to adjust and to give it 40 more years to do so. There are violations of the act. It isn't just that the institution has to adapt; the act has to be complied with.

Mr. Graham Fraser: If I've correctly understood, it's partly for that reason that, through parliamentarians' work, the act was strengthened three years ago. I believe that you, in Parliament, are very much aware of—

Mr. Yvon Godin: In the past three years, we haven't really seen any extraordinary changes. With respect to the Roadmap for Canada's Linguistic Duality, I believe that the government has taken the wrong road; we haven't seen it. I don't know whether it took Highway 20 or the 401, but we're not seeing any results. I'm going to talk to you about some actual situations that have occurred. Minister Verner was supposed to report on official languages to the House of Commons in 2007. This month I was forced to ask when the 2006-2007 report would be tabled in the House of Commons, and when we would be receiving the 2007-2008 report. The 2006-2007 report was finally tabled. Where is the 2007-2008 report? Where does the government stand on its responsibilities under the act? The Canada Public Service Agency hasn't tabled a report since 2005. If things were going well... I don't think things have been going that well in the past three years. There is a lack of transparency, a lack of will to tell us what is going on and whether things are going well or not. I'm making that comment to you.

I'd be interested in having you examine the matter, as Commissioner of Official Languages, the "official languages watchdog" as the jargon goes. The fact is that there is the act and that Part VII is being violated, even with respect to the report that should be tabled in the House of Commons.

Mr. Graham Fraser: I'm taking note of that, Mr. Chairman, and my colleagues as well. We'll therefore be carefully examining the situation with regard to the tabling of those documents by the departments the member referred to.

Mr. Yvon Godin: As regards the Canadian Museum for Human Rights, which will be built in Winnipeg—we know it's coming—will there be any recommendation that the head of that organization be bilingual? Will the workers be able to speak the language of their choice? And will service be provided in both languages?

Mr. Graham Fraser: When it was announced that the museum would be established, I wrote a letter to the chair of the board of directors, recalling that a national museum has obligations under the Official Languages Act. Not only is it important that service be provided in both languages, but the official languages issue must be handled like a human rights issue. I believe that concerns not only

service, but also the subject matter addressed at the museum. I think that's very important, and I've already sent a letter. I intend to have other conversations as soon as the museum planning starts. I haven't received any formal announcement about the composition of management, and that's very important, but, from what I know, the museum is located in a region that is not designated bilingual. Consequently, with respect to the regulations, I believe there are certain problems, as in the case of the Canadian Tourism Commission in Vancouver. That's one of the problems, relating to the location of national institutions outside the National Capital, when you want to ensure that employees' language rights are respected. I've previously spoken here, before the committee, I believe, about the problem of transferring institutions from designated bilingual regions to unilingual regions, even the transfer of employees from New Brunswick to Halifax, for example. That's a comparable situation.

• (0935)

The Chair: Thank you, Mr. Commissioner, and thank you, Mr. Godin.

We'll now go to the parliamentary secretary, Mrs. Shelly Glover.

Mrs. Shelly Glover (Saint Boniface, CPC): Mr. Commissioner, welcome to you and your team. It's a pleasure for me to see you again.

As parliamentary secretary for official languages, I am very proud of our government and its Roadmap for Linguistic Duality, which we're discussing this morning. In addition to its Roadmap, our government offers regular programs. It is spending approximately \$350 million for that purpose. We're continuing to meet our official languages commitments and we will definitely uphold those commitments. At the end of the 2008-2009 period, we will have invested approximately \$180 million. I want to assure you that the money is already flowing and will continue to do so.

I would like to hear what you have to say about the Roadmap. It's very important for me, coming from Saint-Boniface, and for my fellow citizens to continue developing programs in French to acknowledge linguistic duality. I'm very proud of the Chartier Report, which was prepared in Saint-Boniface, under a provincial Conservative government. That's something of great interest to me.

With regard to our Roadmap, funding will be allocated to two sectors. Funding is being allocated in a balanced manner between essential services, education and health. Other amounts will also be allocated to other sectors, such as culture and economic development.

We've conducted a lot of consultations, as you have. Are we headed in the right direction, particularly with regard to the offer of essential services in the communities? Do you believe we're meeting our communities' priorities?

Mr. Graham Fraser: I was very relieved to see that the investments in the health field have been renewed. That's a success of the action plan that was renewed under the Roadmap. I was also relieved to see that a cultural component was introduced in the Roadmap for the first time.

Without knowing the details—they'll no doubt be coming—I'm concerned by the fact that very little funding is slated for the public service. As you can see, there is always a certain concern about linguistic capacity in the public service.

I've often observed something that is not directly related to the action plan. Other funding has been terminated. Some public servants who do not live in a bilingual region have trouble getting government funding to learn the other language. They're told they don't need the training because they don't live in a designated bilingual region. It's precisely because they aren't in a bilingual region that they have a greater need of bilingual training; otherwise, they will spend their entire career in their region and won't have the opportunity to be promoted to key positions in the National Capital.

I'm not opposed to the idea of making the departments accountable and enabling public servants to receive individual language training as part of their training plan. That has to be done, and this has to be said clearly and openly. The Roadmap would've been an opportunity to do that.

● (0940)

The Chair: Mrs. Glover, you used exactly the time that was allotted to you. So we'll begin the second round and continue with Mr. D'Amours.

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

Thank you, Mr. Commissioner. Thanks as well to the members of your team.

Mr. Commissioner, as I remember, you have previously taken an interest in certain situations at the Canadian Air Transport Security Authority, the port of entry at the airports. I must tell you that it's extremely frustrating, from a security standpoint, for a francophone to go into a designated bilingual Canadian airport.

At some point, we have to ask ourselves whether people take us seriously—parliamentarians and the government—when we tell them that the act has to be enforced. It's all well and good to post a notice stating that service is offered in English and in French—you can also put up a plastic plaque, like the one I'm showing you, with “bilingual” written above the machine used to do the checking—but if you don't enforce that policy... I think that the failure to obey that rule stems simply from the organization's cavalier attitude. They should simply remove the notice, and we at least wouldn't expect to receive service in our language.

I have two examples of experiences I have had at two airports that I'm going to name: Ottawa International Airport and Winnipeg Airport. In Ottawa, I was asked for my “boarding pass”. All right, I'm from New Brunswick, and I know what a boarding pass is, and I can speak English. However, I decided to speak French. But the person continued to speak to me in English. Then I spoke French again, but that person continued to speak to me in English. I saw that I was understood because the person was able to answer me, but not in my language.

So I asked to speak to a supervisor. The supervisor enquired as to whether I had in fact asked to be served in French. Did I have to fax the Ottawa Airport in advance to tell them that I was coming, that I

was going to go through security and that I wanted to be served in French? These kinds of situations are not normal.

He asked whether I had asked to be served in French! I didn't know what more I could tell him. That's the first example.

The second example—and my colleague opposite is from the Winnipeg region—occurred at Winnipeg Airport. There are various gates for the security checks. I step up, and I'm one of the lucky people they ask to search...

Some hon. members: Oh, oh!

Mr. Jean-Claude D'Amours: With my clothes on; let's get that straight. But when you read the little folder on searches, it states that I'm one of the lucky ones to be selected as part of a normal rotation. But there too, there was a little plaque stating that they offered bilingual service. I spoke in French, and they answered me in English. I understood that they understood me, but they were unable to speak to me in my language.

When the search issue arose, I wondered what was going on. That was the first time it happened to me. They spoke to me in English, and I said I wanted to be served in French. I wanted to be sure I understood what they were going to tell me, because, at that stage, I didn't know why they were making me undergo the search. Ultimately, they found a nice man on staff, the only one able to speak a little French. He asked me if I wanted a massage.

Some hon. members: Oh, oh!

Mr. Jean-Claude D'Amours: Mr. Commissioner, I understand that, at times, it can be difficult to translate certain words. I nevertheless understood, and the gentleman made an effort. But can you imagine the situation? The man then left. Once again I had to face another unilingual anglophone. My wife, who was ahead of me, then told me we were going to miss our plane. We were with our older daughter, who was three years old at the time. Imagine! The process required us to follow the line and to move forward.

Those are two examples of abnormal situations. It makes you wonder. At Winnipeg Airport, I asked them to provide me with documents so I could file a complaint. Do you know what they gave me? An information guide for travellers! I asked for the name of the person in charge that day, and they refused to give me his surname. That person, who said he was in charge—and I have his contact information—refused to inform me. How do you know if two people have the same name? So I don't have any evidence. I was denied that.

As Canadian citizens, we have rights when we enter bilingual airports. I don't use designated bilingual airports every day, but, at some point, the situation becomes frustrating, and you say to yourself it may be better to speak English since, one way or another, you'll never win. Let them remove the plaques or let them respect us!

Perhaps you don't have much time left, but I've described to you some situations that occur every day.

●(0945)

It's like the Air Canada story I was telling, where the sign on the washroom door said: "Don't smoke the toilet." I imagine the interpreters will be able to give a good rendering of that image. These examples make us wonder about federal institutions. Why do we encounter these kinds of problems when we are supposed to be respected?

The Chair: Do you want to make any brief comments, Mr. Fraser?

Mr. Graham Fraser: I could tell you some stories too, although they aren't as striking. I've never been offered a massage. What you're describing is cause for complaint. I recommend that you file a complaint with our commission, which can conduct an investigation. That's why we're here.

I would like to say something else very briefly, Mr. Chairman. One of the people you dealt with had no understanding of one of the basic concepts of the act, the concept of active offer. It is up to the public servant to offer the citizen the choice, not to the citizen to request it. That's also included in the act. It isn't a regulation or a policy or a directive; it's an act.

The Chair: Thank you very much, Mr. Commissioner.

Thank you, Mr. D'Amours, for sharing those slices of life with us.

Now we'll continue with Ms. Guay.

Ms. Monique Guay (Rivière-du-Nord, BQ): Good morning, Mr. Fraser. Thanks to the entire team for being here.

Mr. D'Amours had some quite colourful stories, but those things are actually true.

I'll proceed very quickly. I have two questions for you, Mr. Fraser.

I personally filed a complaint after receiving certain letters. Among other things, Canada Economic Development sent us a letter in English to announce that services would now be provided from Ottawa only, whereas we used to have regional offices. We gave the Agency a chance; we wrote them a letter asking them to send us a letter in French. As we never received an answer, I filed a complaint. I sent a copy to you and to CED. This kind of incident occurs regularly.

What is worse, it also happens to our colleagues. The House offers us a completely free translation service. You only have to have the documents translated in both languages. When I introduce a bill, I have it translated in both languages, as well as the covering letter, which I send to all my colleagues in order to respect each one's mother tongue.

I would like to know how much time it takes to receive an answer.

Mr. Graham Fraser: An answer from us?

Ms. Monique Guay: Yes. Where do these complaints go? When do we get an answer? Do you contact the agency at fault, in this case CED, to lecture it? What exactly is the process?

This kind of incident appears to be increasingly frequent. I find it nonsensical. It's very disappointing for us who make an effort to respect our anglophone friends. We'd like to be respected in the same way.

Mr. Graham Fraser: As the annual report states, problems do exist. Air Canada is one of the institutions concerning which we receive the largest number of complaints. We're assessing our complaints handling process in order to try to put more pressure on institutions.

Pierre, perhaps you could talk about the process as such, what happens when a complaint is filed with us.

●(0950)

Mr. Pierre Coulombe (Acting Assistant Commissioner, Compliance Assurance Branch, Office of the Commissioner of Official Languages): When we receive a complaint, we contact the institution to see what happened and to talk about the complainant's allegation. Once the discussion has started, we sometimes realize that certain complaints are recurring. Some complaints can obviously be resolved through our investigation process, but sometimes we see there are recurring complaints that show there is a systemic problem within the institution. That's when we try to use tools other than the investigation.

For example, earlier someone mentioned problems with services at airports. We've taken note of observations at some of the major airports in the country, Ottawa, Montreal, Toronto, Vancouver and Halifax. The results of those observations enable us to assess the travelling public's experience, whether it be with the Canada Border Services Agency, the airport authority, concession holders, Air Canada or the Canadian Air Transport Security Administration.

In fact, I want to say that the investigation process enables us to resolve specific cases, but also to reveal the existence of systemic problems that we can try to evaluate, through our report cards, for example, which detail the observations, as in the case I just cited.

Ms. Monique Guay: When do we get an answer? Will we get an answer? Do you answer us? How much time does that take? Do you at least send an acknowledgement of receipt so that we know you're handling our files? Is that a priority?

Mr. Pierre Coulombe: In the complaint resolution process, we talk to complainants and to representatives of the institution concerned by the complaint.

Ms. Monique Guay: I haven't had any news yet. I'm still waiting.

The Chair: Thank you very much, Ms. Guay.

Now we'll continue with Mrs. Sylvie Boucher.

Mrs. Sylvie Boucher (Beauport—Limoilou, CPC): Good morning, Mr. Fraser. I'm pleased to see you back among us.

I'm going to talk to you mainly about the vitality of the official language minority communities, an issue this committee studied when I belonged to it. The demographic issue and the economic development of those communities are two matters I consider important.

On the one hand, we know that the aging of the population affects societies and minority communities. The arrival of new immigrants, newcomers from elsewhere, is part of the solution. I'd like to know your observations with regard to the ability of minority communities to attract and retain immigrants so that a dynamic is established in those communities.

On the other hand, I would like you to tell us what we should focus on to ensure not only that those minority communities have a good ability to retain people, but so that they are also places where others will want to come. We know that's very important in certain places, in certain minority communities.

Mr. Graham Fraser: Absolutely.

Mr. Chairman, I want to thank the member for her question.

I believe that's very important for the vitality of the communities. There are three important factors involved in ensuring that the arrival and integration of francophone immigrants in the minority communities works well: federal government support, provincial government support and the relationship with the community in question.

I'm going to give you some good and bad examples. In Manitoba, real efforts are being made and are producing positive results. Citizenship and Immigration Canada is working closely with that province and with the Société Franco-Manitobaine and the RDÉE. People from the RDÉE alternately meet immigrants and refugees who arrive at the airport. In addition, when a francophone immigrant or refugee winds up in temporary accommodation, a transportation system is organized so that the children can go to a francophone school, even before permanent accommodation is established.

In other provinces, immigrants are not told that there is a minority francophone community. The people responsible for accommodation and support don't direct immigrants whose mother tongue is other than English or French to French-language services, but rather those whose first official language is French. If their first language is Wolof, the language of Senegal, support services in English are organized for them.

People working in community services have told me that, six months or a year after they arrive, immigrants who spoke French had accidentally discovered French-language clinics, schools or services. No one had told them about them. Some organizations even directed those people to anglophone service points or schools. In that kind of case, one year after they arrive, their children are already enrolled in English-language schools. Then it becomes difficult for them to use existing services.

I won't say what example this is because there are probably other versions of the story, but I know that some francophone communities suffer from the fact that there is no coordination. However, I'm very much impressed by the cooperation in Manitoba, not only between governments, but within the community itself.

• (0955)

The Chair: Thank you very much, Mrs. Boucher.

Thank you, Mr. Commissioner.

Mr. Godin.

Mr. Yvon Godin: Thank you, Mr. Chairman.

We can see that time is passing quickly and we have a lot of questions. It's taken 40 years to get where we are; it will take time to ask all our questions.

Let's go back to the subject of the Vancouver Olympic Games. The Olympic Games will be taking place in nearly one year, and French Canadians are not yet assured that they will be able to get

them in their own language. A number of them will, but there are still places where some won't be able to. That's one thing. The CRTC made a statement on the subject not long ago with regard to Radio-Canada. However, CTV and Rogers are also responsible for programming. I'd like to hear what you have to say on the subject, that is where we stand on this matter and what could be done.

As regards the services provided by third parties, I'm a bit disappointed in your recommendation that Canadian Heritage increase obligations in the next agreements. Why not increase them immediately? Why wait for the next agreements? I'd say it's a bit insulting to see that announcements made by third parties on the Internet concerning the Olympic Games, that is by a British Columbia advertising agency, have been translated into other languages from English, but not into French.

An hon. member: That makes no sense.

Mr. Yvon Godin: I personally filed a complaint with your office on that matter.

If your recommendation is that Canadian Heritage should increase obligations in the next agreements, does that mean that my complaint is worthless and that the act hasn't been violated? It's completely nonsensical to see that VANOC came here to tell us how hard it's working and that it's also hiring an agency to advertise in various languages except an official language of our country, French.

Aren't we inviting France to come here? What's going on? Aren't we inviting Switzerland and francophones from Africa? What message are we sending other countries, when Canada has a chance to speak out on the global stage and an invitation isn't being sent out in one of its official languages?

• (1000)

Mr. Graham Fraser: Mr. Chairman, the issue of the linguistic duality of the Olympic Games is very important. If I correctly understand the recommendation regarding the next agreements, it's that they are recurring and must be renewed at some point. My understanding of the original agreements is that they contain obligations. At the start of our report on the Olympic Games, we emphasize that, because of the agreement signed at the outset, there were linguistic obligations. We conducted our study on the Olympics at the start of the process because we didn't want to show up after the Games saying what should have been done. We identified the deficiencies that we were able to observe—

Mr. Yvon Godin: To make sure I understand, Mr. Commissioner, the next agreements don't concern the next Olympic Games.

Mr. Graham Fraser: No.

Mr. Yvon Godin: If agreements are entered into, they must absolutely be complied with. Was anything done to correct the violation? I believe the act was violated.

Mr. Graham Fraser: We're examining the details of the advertising here referred to. A distinction has to be drawn between advertising done by third parties here in Canada, where there are obligations, and international advertising sponsored by the International Olympic Committee.

That's somewhat the problem that we had with regard to television coverage. What was involved was a contract that was not signed with the federal government or with the CBC. It was a private contract negotiated between an international organization, which does not have the same perception of linguistic obligations as we do, and a private company.

We're trying to put as much pressure as possible on broadcasters to ensure that all Canadians have access to television coverage. However, somewhat in the same way as we cannot put pressure on a contract between the International Olympic Committee and Pepsi-Cola, let's say, we have the same problem with regard to that contract, which is an international contract. I nevertheless think it's extremely important that Canadians be able to have access to the Games on television.

I expressed that view as firmly as I could before the CRTC a few weeks ago.

The Chair: Thank you, Mr. Godin, and thank you, Mr. Commissioner.

By the way, we've scheduled three working meetings on the broadcast of the Vancouver Olympic Games.

Now we'll begin our third round, and it's Mrs. Zarac who will start.

Mrs. Lise Zarac (LaSalle—Émard, Lib.): Good morning, Mr. Fraser, and good morning to all your team.

Mr. Fraser, you mentioned that there will be a change in official languages governance and that the Treasury Board will now take over certain responsibilities. You mentioned that you had some concerns.

First, could you tell us what your concerns are? Second, could you tell the committee what role it could play to ensure that we move forward and that there is no backsliding with regard to the work of the past 40 years?

•(1005)

Mr. Graham Fraser: The Public Service Agency had certain responsibilities with regard to training. The Agency is currently disappearing, and those functions will fall to the Treasury Board, which, in the past, has had responsibilities concerning linguistic duality.

One thing has struck me. I'm going to respond to you in a more detailed manner, but first in a more general way. For three years now, there have been changes in responsibility within the government with respect to languages. Prior to early 2006, progress monitoring was conducted by the Privy Council. That responsibility has been transferred to the Department of Canadian Heritage, which, at the same time, has responsibility for monitoring compliance with the act within the other departments, as well as direct responsibility for official languages. The decision was made to assign that to two different branches, and that's a bit of a concern for us.

For you, I've previously noted that that raised some concerns over the fact that this monitoring obligation was no longer the task of the Privy Council. The analogy that I draw is that, in an office, when a directive comes from above, it is complied with more quickly than if it comes from the office next door.

A study was commissioned from Professor Donald Savoie. It contains a chapter on horizontality. It was a quite subtle study on the question. I'm not going to repeat to you what it was about; there's a chapter in the last annual report. What I see is that institutional changes are destabilizing in terms of compliance with linguistic obligations. Every time there is a change, people have to get used to obligations and responsibilities. No one is entirely sure of his or her new responsibilities. Priorities can change. So every transfer of responsibilities of this kind concerns me a little.

You have to be more vigilant to ensure that a transfer doesn't mean a lower priority is attached to the question. I'm not necessarily saying it's a bad thing in itself that there has been a transfer from the Agency to the Treasury Board, but I'm going to make an extra effort to monitor the matter, to ensure that priority is not lost.

The Chair: You have 30 seconds, Mrs. Zarac.

Mrs. Lise Zarac: Do you have any recommendations for the committee that could assist us in this matter?

Mr. Graham Fraser: One good idea would be to invite the Treasury Board president and to ask him direct questions about his new responsibilities, about what that means, about his perspectives on the recovery of responsibilities. There's some potential there. The Treasury Board is a central agency that has responsibility for monitoring other aspects of governance.

As I said, I'm not necessarily critical of this change, but you have to be vigilant to ensure priority is maintained or increased.

The Chair: Thank you, Mrs. Zarac and Mr. Commissioner.

We'll now continue our third round with Mr. Petit.

•(1010)

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Thank you, Mr. Chairman.

Good morning, Mr. Fraser, and welcome back. Greetings as well to your team.

On a number of occasions, we have had the opportunity to receive and talk to you about your various reports, which are always very interesting. Naturally, we see that there are improvements and sometimes ups, sometimes downs. You have a very good grasp of the dynamic of the Official Languages Act as a whole.

Since you are an officer of Parliament, I have a question for you. There are what can be called frontal attacks on the Official Languages Act, such as Bill C-307, which was introduced on February 10 and is entitled, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts. It was introduced by Mr. Paquette, who is a member of the Bloc Québécois.

Like me, you know that, under that bill, the Charter of the French Language and Bill 101 as a whole would have to apply entirely to all the federal institutions referred to earlier: Canada Post, Air Canada, customs, the armed forces, public service, the coast guard and so on. They're tabling a bill because they want it passed. If it were passed, you would no longer have a job. We would have a problem.

Furthermore, and this concerns me the most, there are francophones from New Brunswick and Manitoba around this table. My children are Franco-Albertans. Consequently, if we implemented Bill 101 in all federal institutions, which would mean that it would henceforth be francophone wall to wall, that would mean that, in the other provinces apart from New Brunswick, which has something different in its Charter, the two million francophones living outside Quebec would no longer be able to receive services in the second language. The major principle is the application of both languages.

You've read the bill. This frontal attack is a direct threat to your job. I'm telling you: if this bill is passed, you will no longer have a job tomorrow morning. If you read the bill, you'll see that it's very specific, wall to wall, and it concerns everything that is in Quebec, federal institutions, including the banks. I would like to hear what you have to say on that subject.

Mr. Graham Fraser: I admit I haven't considered the bill's impact on my professional future. That wasn't part of the analysis that we conducted on the bill. I appreciate your sympathy, but, more seriously, it is a bill that concerns me. One of the reasons is precisely the one you mentioned. If the Charter of the French language contains such a provision—one clause states it very expressly in the bill on the Official Languages Act—there is nothing preventing another province from saying that, if the Quebec legislation takes precedence, why not its own? Why have linguistic obligations? As far as I'm concerned, I also have a responsibility in that regard, and that would have an impact on the right of citizens to receive services in English from federal institutions.

In the course of certain conversations I've had about that bill, in which we talked about the difficulty some employees of federal institutions in Quebec have in really being able to work in French, I said that they could file a complaint. If Radio-Canada employees are unable to obtain their work instruments in French, they don't need the Charter of the French Language to get those work instruments and those instructions. They can file a complaint with my office.

The third thing I would say is that the Official Languages Act was amended three years ago. Every amendment to the act requires time for behaviour to change. As Mr. Godin indicated, a lot of progress has to be made before the last amendment to the act affects the government's reflexes. We're still involved in the process. The reports we file under Part VII, which was amended, say a lot about establishing committees, and so on. I haven't yet seen a lot of concrete results. I would be very concerned if the act were amended in that way, given the implications that could have for the existing act, both in Quebec and in the rest of the country.

• (1015)

The Chair: Thank you very much, Mr. Fraser.

We're going to complete the third round with Mr. Nadeau.

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

Simply to reassure Mr. Petit, I emphasize that that bill was introduced by Ms. Pauline Picard in 2007. She was the member for Drummond at the time. We met with Mr. Fraser concerning the bill in question. Mr. Fraser need not be concerned for his future.

Mr. Petit, you yourself voted in favour of recognizing the Quebec nation. The Bloc Québécois will be putting some flesh on the bone.

This is a bill that states, among other things, that the Charter of the French Language must take precedence over any other act, even the Official Languages Act, in Quebec. If you respect the Quebec nation, that's the purpose of the bill.

Earlier, Mrs. Glover, who is parliamentary secretary, spoke about the a Roadmap. Mr. Fraser, in your introduction, you said that you were still waiting for news about the Roadmap.

So, Mrs. Glover, if we don't yet have the Roadmap, we can't really talk about it.

That said, the VIA Rail file is one among many, someone will say. With regard to that mode of transportation, we know that there is a designated area where English and French are the languages of work, between Montreal and Alexandria, in Ontario. A citizen who works at VIA Rail, Mr. Chevalier, filed a complaint because his employer—this was caught on a sound recording—ordered him to speak to him in English when he responded that he would prefer to speak French because that was his language of work.

Where do we stand with regard to VIA Rail? Are there any other circumstances in which VIA Rail did not respect the fact that employees wishing to work in French must be able to do so?

Mr. Graham Fraser: I heard about that complaint, and I asked some questions on the subject. If I understand correctly, it was in fact Canadian National that was concerned by the complaint. We've been in touch with the complainant; we're monitoring the matter very closely. I hesitate to talk about the complaint in detail, except to assure you that we have been in regular contact with the complainant and the business, and that we hope to have an investigation report as soon as possible.

More generally, I have had a number of meetings with the President and CEO of VIA Rail, Paul Côté, who has made a career with the railways and is very committed to official language matters. We've had quite satisfactory relations concerning VIA Rail's service to the public. VIA Rail is indeed one of the businesses that I cite as an example of a company that has taken positive measures under Part VII of the act. Mr. Côté, upon examining these new obligations under the act, thought about the matter and went to meet with the board of directors of the Fédération des communautés francophones et acadienne to ask it to discuss the matter with him so that he could see how the business could respond to those new obligations.

• (1020)

Mr. Richard Nadeau: I understand that work is being done. There is also the fact that the complainant is someone whose place of work is in the Montreal region.

We know that the Official Languages Act, which was passed in 1969, is the result of movements in Quebec, where sovereigntists and other movements were boiling over at the time. Former Prime Minister Lester B. Pearson took measures, and so on. Assimilation, the loss of the French fact in Canada, is still appalling.

How could the Official Languages Act be given more teeth to ensure that Canada and the provinces respect the French fact where the minorities have an enormous amount of difficulty combating assimilation? Are there any options, solutions?

The Chair: I would ask you for a fairly brief response, please, Mr. Commissioner.

Mr. Graham Fraser: That's a broad subject to which I would not dare give a complete answer, even if I had the time to do so. There are valid options contained in the new Part VII of the act, which requires general institutions to take positive measures for the vitality of the official language minority communities. People in the departments are in the very early stages of understanding that obligation. I previously mentioned what is happening with regard to cooperation between the federal government, the government of Manitoba and the Société franco-manitobaine. It is this kind of multipartite collaboration that is necessary to ensure that there is a minority francophone area. One of the challenges is the invisibility of the francophone minorities and also that of certain isolated communities, such as the anglophone community in Quebec.

[English]

The Chair: Thank you, Mr. Commissioner.

Now we are about to enter the fourth round, if we have enough time.

I will turn to Mr. Chong.

[Translation]

Hon. Michael Chong (Wellington—Halton Hills, CPC): Thank you, Mr. Chairman.

Thank you, Mr. Fraser. I've previously had occasion to ask you questions about education, which I think is of prime importance. I would like to go back to that issue since one of the subjects under study by our committee in the coming weeks and month will be the role of secondary and postsecondary institutions in promoting bilingualism. I have two questions for you.

[English]

I note that the first action plan on official languages had a goal of doubling the proportion of high school students who could function in both official languages by 2013—in about four years. Can you tell us if we're on track to meeting this goal, and if not, why not?

My second question relates to your opening remarks. You said that the renewal of the public service provides an excellent opportunity to enhance bilingualism in the public service. As I remarked before, the Government of Canada is the single largest employer in the country. Across our public service—crown corporations, agencies, military—I believe we employ close to half a million Canadians. And yet during a time of generational transformation of the public service, we're not getting the graduates we need from Canadian universities and colleges. Many of them, if not most, cannot speak both official languages. Hence we have a need, as a government, to invest massive resources in training these newly hired university graduates in the second language.

Can you tell us what efforts are being made within the Government of Canada to encourage universities to produce the graduates we need? If no efforts are being made, can you tell us why not?

• (1025)

Mr. Graham Fraser: Thank you, Mr. Chairman.

I appreciate the question very much, because I think it is absolutely critical. The only way the federal government can meet its obligations and ensure there is not a backslide with the departure of a generation and the hiring of a new one is to ensure that universities step up to the plate.

To answer your first question very briefly, we're not on track. Canada is not on track to reach that goal of 50%; in fact there has been a slight slippage.

Why is that? I think that's because the federal government has not figured out how to target secondary education. There are some very clear links to post-secondary education. But the provinces are quite jealous of their responsibility for primary and secondary education. Despite the fact that there are federal-provincial agreements concerning financing of second language education, I've expressed my concern in the past that there is not the same kind of follow-through to ensure that there are results for the federal funding that goes into those agreements.

In terms of post-secondary education, I share the member's belief in the importance of this. One of the things we have done, which I think is very complementary to the work you are about to undertake in looking at post-secondary education, is a study with the AUCC, the Association of Universities and Colleges of Canada, of what is now available in universities to provide students with second language learning opportunities, courses that are given in the other language, and exchange possibilities—what is being done now.

We are now at the second phase of this. We've compiled data from universities and colleges across the country. We've now embarked on a series of focus groups with students and professors in I think it's 18 institutions across the country, and over the next few months we will be coming out with this. It's a very preliminary step, so that at least people will have a single reference as to what's being done now. I think that would be very useful for your committee as a basis for questioning. When you bring people in, you can say, "We see you are doing these programs. How come there is not better connection?"

One of the things we discovered is that there are all kinds of universities that have junior years abroad and semesters in second-language universities outside the country, but it is extremely difficult to have interchange between English-language and French-language post-secondary institutions. It's very hard for someone at the University of Calgary to spend a semester or a year at Laval, because there has not been the kind of effort to make that possible.

The Chair: Thank you, Mr. Commissioner. Maybe we'll have the opportunity to meet you again on that important topic in the near future.

[Translation]

Who would like to follow on?

Mr. Rodriguez.

Mr. Pablo Rodriguez: Thank you. I want to go back to the Bloc Québécois bill because that was raised by Mr. Petit and also addressed by Mr. Nadeau. I have a lot of reservations about that. First, I imagine you had to consider whether the bill was constitutional or unconstitutional. In my opinion, a provincial act cannot take precedence over a federal act.

•(1030)

Mr. Graham Fraser: We examined the bill in detail in a number of stages. We made ourselves available for the members of all parties so that they could share our legal expertise. I'm going to ask my legal advisor, Ms. Giguère, to talk a little about the bill and about the analysis we conducted of it.

Ms. Pascale Giguère (Acting Director, Legal Affairs Branch, Office of the Commissioner of Official Languages): We had some discussions, and indeed certain questions remain perhaps problematical from a constitutional standpoint. The broader issues that we focused on concern more the bill's impact on the Official Languages Act, which, remember, is a quasi-constitutional act that also subjects the federal institutions and certain other corporations that, under their enabling statutes, are subject to the Official Languages Act. With respect to constitutional issues, it is probably up to the authors of the bill to consider those issues. We have identified a few of those questions, and we share that point of view.

Mr. Pablo Rodriguez: So it could pose a constitutional problem, since... We'll be looking at that in detail. I understand why you don't want to give me a final answer on the subject, but that may cause a problem. It can also cause the problem that Mr. Petit raised, that is to say that, if we in Quebec say that we're going to ensure that the provincial act takes precedence over the rest, that, for example, the anglophone community does not have the same rights under the Official Languages Act, then another province can say that the francophones of that province, as a result of that precedent, will not have the rights one would expect under the Official Languages Act either. That seems to me to be extremely disturbing. That's what troubles me greatly about the Bloc Québécois bill. I'm afraid that the other provinces will say to themselves that, since there is a precedent in Quebec, since Quebec has decided to standardize the law, since French comes first regardless of the employer, regardless of whether it is subject to the Official Languages Act, they can then decide to do the same thing. I assume that's a concern for you.

Mr. Graham Fraser: Absolutely, it's a concern. Often, when we intervene on matters of provincial jurisdiction, our concern is about the impact that could have on other communities outside the province where the debate is being waged. The national impact concerns us.

More generally speaking, I would say that Canada's language policy has been a deliberate compromise between the principle of individuality, on the one hand, and the principle of territoriality, on the other. On an international level, an example of the territoriality principle is Belgium, where, if you cross the street or cross a territorial border, you have no language rights. The territory is precisely limited. There are other countries, such as South Africa, where, in the past, it's been completely individual. There was no attachment to a territory, whereas, in Finland, there are designated bilingual regions and other regions that are not. Our policy is really a compromise between these two principles. There is a balance, if you will, between the territoriality principle and the individuality principle. It's often a balance that's hard to maintain; every change that might influence that balance must be examined.

The Chair: Thank you very much, Mr. Commissioner.

Thank you, Mr. Rodriguez.

Now we go to Mr. Godin.

Mr. Yvon Godin: Thank you, Mr. Chairman.

I want to go back to the question concerning the Olympic Games. In one of your recommendations, Recommendation 13, you state: "[...] Games Secretariat, strongly encourage existing sponsors to use both official languages in their advertising activities."

Recommendation 4 states:

That officials of Canadian Heritage and Public Works and Government Services Canada promptly undertake consultations with VANOC to provide the latter with the Translation Bureau's expertise in translation and interpretation at a reasonable cost.

I would like you to explain that recommendation to me. We hear it said that VANOC might like to hire students. The translation experts clearly say that, to be a translator, someone must have at least three of four years' experience or training. With all due respect for students, is it acceptable for us to want to "smoke the toilet" and get lesser quality services?

•(1035)

Mr. Graham Fraser: We made that recommendation considering the importance of translation. I would like to emphasize the quality and expertise of the Translation Bureau, which is really a Canadian treasure and whose work is often poorly recognized.

Mr. Yvon Godin: We don't have a lot of time, but you definitely didn't mean "less quality" when you said "reasonable cost". You're not saying we'll wind up with people who aren't qualified to do the translation; we can't afford to do that.

Mr. Graham Fraser: No, not at all.

Mr. Yvon Godin: So, if VANOC decides to hire unqualified people, that's not consistent with your recommendations.

Mr. Graham Fraser: No, not at all.

Mr. Yvon Godin: I'd like to have some follow-up on this matter, to ensure that isn't what happens.

Mr. Graham Fraser: Following the publication of our report, we established a team that is following up our recommendations and developments in the situation with regard to the Olympic Games. We're monitoring that very closely.

Mr. Yvon Godin: The other subject I would like to address is Air Canada. The company has just sent us a letter saying that it wants to remove the complaints card from its aircraft. That's ironic because you said in your report that Air Canada often violates the act, to such an extent that it's one of the organizations concerning which you receive a lot of complaints. I remember that our former colleague Benoît Sauvageau, of the Bloc Québécois, had worked very hard for that complaints card to be distributed throughout Air Canada's aircraft. It's been proven that it works, since you've just told us that you receive a lot of complaints. But Air Canada suddenly wants to remove the card and instead put a notice in its *En route* magazine, where it won't be found because it's a document of roughly 100 pages. It's simpler to get the card, to take it home, to know where to send it—to the Office of the Commissioner of Official Languages or to Air Canada—in order to file complaints.

Is there any possibility that the Commissioner of Official Languages will examine that matter? At the same time, I would propose to the committee, perhaps later, that it send a letter to Air Canada stating that we are not at all satisfied with the new approach of withdrawing the complaint card. It is to be hoped that Air Canada will listen to us and understand how disappointed we are in the company, not only because it is violating the Official Languages Act, but at the same time that it is removing the opportunity for people to file a complaint when the act is not complied with.

Mr. Graham Fraser: The interpretation of that action is interesting. We're going to follow it up. I haven't received any formal complaints, but, informally, someone told me that he thought distributing those cards was one way of downplaying the importance of official languages because, on certain flights where there are more francophones, Air Canada could say that 100% of people were satisfied. I received some very negative comments, but, in another way, saying that distributing the complaint card was a way of downplaying the importance of linguistic obligations... We're going to examine that; we're going to consider your concern.

Mr. Chairman, I can tell you that I have witnessed exactly the opposite reaction: people were afraid that Air Canada would use the cards to defend itself instead of really—

• (1040)

Mr. Yvon Godin: Take a look at the history.

The Chair: Thank you. We're going to conclude on that point.

Do you want to add anything, Mr. Nadeau?

Mr. Richard Nadeau: Mr. Chairman, I'm very pleased to see that the Conservative Party and Liberal Party are going to vote in favour of Mr. Paquette's bill so that we can talk about it more here, before its third reading.

Mr. Commissioner, in your report—perhaps it was also in other previous reports—you emphasized the entire issue of eliminating non-imperative bilingual staffing for executive positions, that is to say for federal senior public servants.

Have you had any reaction on that point? Is a bill necessary in order to do that? What's the magic formula for ensuring that senior executives, those in a position of authority over all government employees, who, in areas declared or designated bilingual, must learn both official languages, currently do not have to learn the second official language? I think that's inconsistent, if you consider the spirit of service in French and in English in the federal context. Where do we stand in that regard?

Mr. Graham Fraser: There are two aspects. I'm going to draw a distinction between the quantitative and qualitative aspects. In quantitative terms, we're told that 93% of bilingual positions are occupied by people who have passed their test. However, I've previously expressed concern over the fact that 6%, I believe, of

people have received an exemption. I've considered that figure perhaps exaggerated. That's it for the quantitative side.

I believe the qualitative aspect is more important than the quantitative. If 100% of people take up their position after passing a test, that means nothing if they don't speak a word of French. It's not by checking a box concerning a person's qualifications for a position that French will become a vital language within the public service, that people will exercise their right to work in French, that they will feel as influential when they write a summary in French as in English, that they will be understood at meetings.

I'm looking for a way to make people understand that mastering both official languages is an essential component for leadership. It's not just a box that has to be checked. In some countries, they say that every child should know how to swim before the end of his or her secondary education. That's all well and good, but it's not that.

I have always expressed my disagreement over the government's insistence that deputy minister positions should be exempt from linguistic requirements. How can you have leadership with regard to linguistic duality if the person in a position of authority in a department does not meet the language requirements? It's the same thing for Cabinet positions. These are often people appointed to positions where the linguistic issue is not considered as a key component of leadership.

• (1045)

Mr. Richard Nadeau: Thank you.

The Chair: Thank you very much for that explanation. We've completed the four rounds. Mr. Commissioner, I want to thank you for taking part in our proceedings. I also want to congratulate you because, in your speech, you mentioned the efforts...

Mr. Godin, you have a point of order.

Mr. Yvon Godin: Mr. Chairman, you say we've completed our four rounds, but we nevertheless planned that the meeting would finish at 11 o'clock. If other people want to ask questions—

The Chair: I'm coming to that, Mr. Godin.

Mr. Yvon Godin: There are 15 minutes left.

The Chair: Yes, thank you, Mr. Godin.

I just want to finish what I was saying. Mr. Commissioner, thank you for promoting linguistic duality at the gateways of our airports. That's as important for the airlines as it is for security services, as we've seen.

On that note, I hear the bells. So we are going to adjourn our proceedings. Thank you, everyone.

The meeting is adjourned.

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

**Also available on the Parliament of Canada Web Site at the following address:
Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>**

The Speaker of the House hereby grants permission to reproduce this document, in whole or in part, for use in schools and for other purposes such as private study, research, criticism, review or newspaper summary. Any commercial or other use or reproduction of this publication requires the express prior written authorization of the Speaker of the House of Commons.

Le Président de la Chambre des communes accorde, par la présente, l'autorisation de reproduire la totalité ou une partie de ce document à des fins éducatives et à des fins d'étude privée, de recherche, de critique, de compte rendu ou en vue d'en préparer un résumé de journal. Toute reproduction de ce document à des fins commerciales ou autres nécessite l'obtention au préalable d'une autorisation écrite du Président.