



House of Commons
CANADA

Standing Committee on Official Languages

LANG • NUMBER 006 • 3rd SESSION • 40th PARLIAMENT

EVIDENCE

Tuesday, March 30, 2010

—
Chair

Mr. Steven Blaney

Standing Committee on Official Languages

Tuesday, March 30, 2010

• (0900)

[Translation]

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

I would like to welcome our parliamentary secretary, whose presence allows us to have a full quorum, even though we may hear witnesses with six members present.

Pursuant to Standing Order 108(3)(f), we are beginning our study of the broadcasting and services in French of the Vancouver 2010 Olympic Games.

[English]

As well, pursuant to Standing Order 108(3)(f), we are studying Air Canada's compliance with the Official Languages Act. To do so, we have the pleasure and privilege to have with us the Commissioner of Official Languages. He's accompanied this morning by the assistant commissioner from the compliance assurance branch, Ms. Ghislaine Charlebois.

Welcome to the committee.

The commissioner is also accompanied by Mr. Sylvain Giguère, who is assistant commissioner, policy and communications branch. From the more judicial side we have lead counsel and director of legal affairs, Madam Johane Tremblay, who is well accustomed to our committee.

[Translation]

Mr. Commissioner, I would like to welcome you once again to the Standing Committee on Official Languages. I would invite you to report on your experience of the Olympic Games and also to speak to the transport issue, that is to say regarding our national airline, Air Canada.

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

The Chair: Excuse me, Mr. Fraser.

Mr. Bélanger, you have a point of order?

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): I would like some clarification, please. The agenda we received stipulates that there are two meetings. If I understand correctly, Mr. Chair, we have combined them.

The Chair: We are combining everything, Mr. Bélanger. Mr. Fraser's presentation will deal with both subjects. At the end, when we will have finished our meeting with the commissioner, we

will be able to present the members with the report of the first meeting of the steering committee concerning our schedule.

Hon. Mauril Bélanger: I just wanted it to be clear, thank you.

The Chair: Mr. Fraser, you have the floor.

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

Honourable members, members of the Standing Committee on Official Languages, Mr. Chairman, good day. I am pleased to meet with you today to discuss the linguistic aspects of the Vancouver 2010 Olympic and Paralympic Winter Games, and also Air Canada. I do not have a separate statement regarding Air Canada. I will include some comments at the end of my presentation on the games.

Over the past three years, I have given considerable attention to the Vancouver 2010 Olympic Games. My staff has maintained regular contact with the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, VANOC, as well as with the 2010 Olympic and Paralympic Winter Games Federal Secretariat, which is part of Canadian Heritage.

I first raised my concerns the first time I appeared before you as commissioner, in November 2006. I published a report on the games in December 2008 and a follow-up report in September 2009. In addition to visitor and athlete services, the issue of French television broadcasting of the games received my full attention until the final hour.

• (0905)

[English]

The games are now over. It's time to take stock and draw lessons for the future.

In the coming weeks my staff will be completing an analysis of the complaints lodged by some 40 citizens, almost all in relation to the opening ceremony. As usual, we are contacting these individuals and the institutions concerned, in this case mainly Canadian Heritage. Everyone will be informed as the process unfolds and when a final determination is made.

At the same time, the various federal institutions that provided services at the games will be sending me a report on their activities between now and July 1. Based on these reports and on our own analysis we will produce an overall performance assessment of VANOC and the institutions. This document will also include my proposals on how best to reflect linguistic duality in the organization of other large-scale events in Canada, as well as international events that project the image of the country.

I had the opportunity to spend almost a week at the games in order to observe the work that had been done on site. This allowed me to meet with other concerned observers, including the *Grand témoin* of the Organisation internationale de la Francophonie, Pascal Couchepin.

Also present at the games were two employees from my office, who were able to observe first-hand how VANOC and federal institutions complied with their language obligations.

[Translation]

My testimony today is based on what I have seen while in Vancouver. Admittedly, they are first impressions of the most visible aspects of bilingualism at the games, pending a more in-depth analysis.

I would first like to share an observation that could be made by all Canadians who watched the games on television. I was deeply impressed by the number of our young athletes who could comfortably express themselves in both official languages. Alexandre Bilodeau, Maëlle Ricker, Joannie Rochette, Jennifer Heil, Roberto Luongo, Jonathan Toews, Charles Hamelin, Kristina Groves, Clara Hughes, Jasey Jay Anderson, Sydney Crosby and countless others charmed their audiences with their desire to excel, their personalities and their bilingualism.

The fact that their number is growing from one Olympic Games to another is a powerful message on young people's commitment to their country and on their openness to the world. I would also like to emphasize just how much the activities organized for the public by francophone communities contributed to the festive atmosphere that prevailed at the games. In Vancouver, as in Maillardville, thousands of people were able to discover the country's francophone culture.

In fact, the Place de la francophonie received enthusiastic praise from the *Vancouver Sun*, which awarded it a gold medal for its dynamic programming. French was visible—and audible—in various ways at Olympic venues and in the streets. VANOC's bilingual signage was, on the whole, consistent. The athletes' biographies were available in both languages, as planned.

[English]

To continue with a personal perspective, let me say that I was able to register in French. When I arrived at the Thunderbird Arena I was greeted with an active offer in both languages at security. When I asked at the door to the arena where I should go with the pass I had, I was greeted with “I don't speak French—Jenny, you speak French”. The volunteer turned to a colleague who sorted out my problem and escorted me to the correct section. It was a model of how people should be served in both languages.

In several of the areas that we identified as problematic in our reports—translation, signage, directions, availability of athlete statements, and translation of documents—it can be said that the Vancouver games were a success.

I appreciate all the work that your committee,

[Translation]

the Fondation canadienne pour le dialogue des cultures, the Fédération des communautés francophones et acadienne of Canada,

[English]

Minister James Moore, and government officials did in this regard.

You may recall that when I first appeared before you in November 2006 I raised the concern that the games might not be available for French-speaking Canadians outside Quebec. You picked up on this concern. Thanks to the intervention of Konrad von Finckenstein and the Canadian Radio-television and Telecommunications Commission, the efforts of the consortium, and public-spirited action by the cable companies, the Olympic Games were not only well covered in both languages but were also available in French on CPAC across the country. I congratulate all those involved in ensuring that Canadians from coast to coast had access to the games in both languages.

Unfortunately, many Canadians felt that the opening ceremony did not reflect the country's linguistic duality. As we are now investigating these complaints, I will not comment on the opening ceremony today. However, I think it is unfortunate that a shadow has been cast on the significant achievements we've seen.

● (0910)

[Translation]

I hope that we will be able to contribute to a reflection on how Canada presents itself to the world in terms of its linguistic duality.

However, my employees on site noticed that the French version of the official souvenir program for the games was virtually nowhere to be found, except on the Web site. This was a missed opportunity not only for VANOC, but for Canada as well, since the program was a promotional tool that could have reached a worldwide audience.

As for service, we often came across VANOC volunteers who were able to provide information in both languages, even though they were sometimes hard to find and their dispersion across the various sites seemed random, at times. Instead of trying to locate a bilingual individual, unilingual volunteers had a tendency to sometimes resort to enthusiastic hand gestures. This was cute, but not always effective.

A number of federal institutions, such as Canada Post, put their on-site infrastructure to good use by setting up oversized displays in both languages. Some sponsors such as Coca-Cola and The Bay provided signage and service in both languages.

Needless to say, Olympic protocol was properly applied: it seems announcers at the venues used French and English systematically, both during competitions and at medal ceremonies.

Before the games, I expressed some concerns about the services provided by the various federal institutions in Vancouver during the games. The personal observations I was able to make in this regard are relatively limited. I would therefore like to reserve my comments for the final report, at which time I will have more information in hand. Nevertheless, I can say that considerable efforts were made to increase the number of bilingual employees and volunteers, particularly for services provided at the Vancouver International Airport.

[English]

Assuming that federal institutions provided bilingual service of greater quality than usual, it is worth reiterating that the language obligations in effect during the Olympic Games are in fact the same as those that apply the rest of the time.

What must be avoided is what some consider a return to business as usual, which, in the case of western Canada, is approximate bilingualism and an almost total lack of active offer. Guaranteeing Canadian taxpayers bilingual services that comply with the Official Languages Act in that part of the country requires leadership from the heads of a broad range of institutions, an increased commitment by the Treasury Board, and of course the watchfulness of parliamentarians.

I will therefore continue to closely monitor the status of federal services in the Vancouver region, and by extension western Canada.

In the coming year I also intend to focus on the rights of the travelling public. It is important that the obligations of airport authorities be clarified. It is also important that the minister adopt a bill to clarify the language obligations of the new entities, such as Jazz, created by Air Canada as part of the new corporate structure. Such a bill should not only protect the language rights of the travelling public, but also ensure that Air Canada employees maintain their right to work in the official language of their choice within the new entities in the Air Canada family.

Thank you for your time. My colleagues and I will be happy to answer any questions you might have.

[Translation]

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

I see you have mentioned that the Vancouver Games were a tremendous success. In that regard, I would like to thank you for your positive comments about the committee and its members. That reflects on all of its members, regardless of their political stripe. Thank you for those kind words. We appreciate it.

Mr. D'Amours, you have the floor.

• (0915)

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

Thank you, Mr. Commissioner and thank you to your staff members who have come with you this morning. My comments will deal with two issues: that of Air Canada in the second part, but first the Olympic Games.

Towards the end of your presentation, on the subject of Vancouver Airport, you used the expression “business as usual”, on the subject of a possible return to old habits. And yet, Mr. Commissioner, you gave compelling examples of other people who understood, including when you spoke about our athletes. Our athletes are more and more bilingual. In fact, our young people across the country are more and more bilingual. Private companies, including The Bay and Coca-Cola, understood the message concerning bilingualism. On the other hand, I understand that you did not want to make comments on the Olympic Games' opening ceremony, but let us remember that our athletes, our youth, are more and more bilingual and that private

companies understood the need to offer bilingual services even though they are under no obligation to do so. They are private companies. They are under no obligation, but they understood. There must be a reason for that. However, as far as the opening ceremonies were concerned, you have had concerns since 2006. For our part, at the committee, it is true that we had to act as a watchdog, at one point, in order to ensure that adequate services would be offered to people. The Olympic Games were not only for the citizens of the world, but also the Canadian Olympic Games, for Canadians, paid for in part with Canadian taxpayers' dollars. Those who were not able to participate directly in Vancouver also had the right to participate in their own way, at home, in front of their televisions.

How many times did we have the people from VANOC here, how many times did we tell them—I will always remember what I said—that we would find ourselves obliged to make comments that were not always glowing after the Olympic Games. It is clear that generally speaking, perhaps on the ground there, things were fine, but we nevertheless had given them a warning from the first countdown. One year before the launch of the Olympic Games, when there was the countdown, we gave a warning to VANOC and we could only expect that they got the message. I am aware of the fact that you may not want to discuss this, but one year later, at the opening ceremonies, we witnessed a situation that was perhaps not identical but that was somewhat similar, and that is shameful. It was in response to these criticisms, including criticism of the Department of Heritage itself, that at the end of the Olympic Games there were efforts made to compensate for that, which is laudable. People made efforts and I would never criticize anyone who tries, even if things are imperfect. Not everyone has the ability to speak both official languages perfectly, of course.

Needless to say I am anxious to see your final report because the committee has devoted four years to this issue. This took a lot of time and we asked VANOC to take the situation seriously. Once again, I repeat, taxpayers' money paid for part of the Olympic Games. It was not only for the rest of the world, but also for Canadians.

I would now like to discuss Air Canada. Mr. Commissioner, I agree with you that we need legislation. We remember, a few years ago, probably around 2006, that Minister Cannon announced with great pride to the Standing Committee on Official Languages that he would be enacting legislation on Air Canada. That was in 2006. We have had many elections and prorogations since without result. It is not even in the government's pipeline—if you'll pardon my expression—at this time. I still remember Air Canada's comments and I would like you to clarify the situation. Air Canada was saying they did not want to have any obligations, and that if they did, they would need help. Mr. Commissioner, is Air Canada subject to any obligations, yes or no? When they signed the agreement to buy Canadian International, was the obligation to provide services in both official languages included?

• (0920)

Mr. Graham Fraser: I completely agree. That was part of their obligations. The argument was the following: Canadian taxpayers had invested in the creation and maintenance of the infrastructure and the image of that airline over a long period of time. With its purchase, the people had bought a Canadian creation that bore Canada's name. Through the purchase of not only the infrastructure, the physical assets, but also the image and history associated with it, there were very clear obligations. I'm not a lawyer but I believe that when a contract is signed, it cannot be amended without the consent of both signatories. In my opinion, there are very clear obligations.

The problem is that, in the current context, several bills have already been tabled. Every time a bill is tabled, all of a sudden the structure is changed. We see that certain services are transferred from one component of what I call the Air Canada family to another. There are therefore not the same obligations for certain subsidiaries as there are for Air Canada. We are consequently proposing that the obligations be clearly defined for all the entities that are part of the Air Canada family.

The Chair: Thank you. Mr. Nadeau, you have the floor.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Mr. Chairman. Mr. Commissioner, I would like to welcome you and your colleagues to our committee. I am very pleased to welcome you here, particularly on the issues affecting the Olympic Games.

Personally, there is something that really bothered me at the Olympic Games. I learned about it after the fact. In the text of the contribution agreement between Canadian Heritage and VANOC, the fact that the Canadian government required equal usage of French and English in the activities that would be taking place in order to reflect the Québécois and Canadian nations before this world audience was not included. I would like to hear your comments on the fact that this was not included in this very important text. The contribution agreement stated that the money would follow according to the criteria set out.

Mr. Graham Fraser: During our research for the studies and the follow-up, we only saw part of the contribution agreement, but we never saw the complete document. I can therefore not comment on the details of this agreement because we were not able to do a detailed analysis of it.

However, there was clearly a lack of understanding. All of the members of Parliament very clearly expressed to the VANOC representatives who came and appeared before the committee the importance of the cultural component involved in the ceremonies. During our investigation, following the complaints that we received, we will continue our more detailed study in order to get a better picture of what happened.

Mr. Richard Nadeau: I would like to address another important aspect.

We had six or seven years to prepare for the games. It took some time before we knew that they would take place in Vancouver. Other cities were in the competition as well. Vancouver won, and good for them. Seven years later, there were the opening ceremonies. I know you will not speak to this today, but for the entire world, it was a reflection of the country where the games were being held. You yourself said that French was as hard to find as snow in Vancouver.

Minister Moore, who is indeed the Minister of Canadian Heritage and Official Languages, said that he was disappointed and found the lack of understanding of VANOC to be regrettable.

I remember that during the committee's deliberations, when the people from VANOC appeared, we were very disappointed by the countdown as far as the show was concerned. There was no French at all. That was one year before the games. At one point, we told the VANOC people what we felt. At that point, I had even asked if it was possible to withdraw VANOC's funding in order to give it to another organization so that they could do the job. For me, this is the same old story with the Canada I know. No one cares about the French fact, but when there is a crisis, adjustments are made. Once again, we have seen the evidence of this. I find this extremely unfortunate.

You attended the games, unlike myself. However, we read the media reports. It was said that approximately 15% of the 25,000 volunteers were bilingual. Were you able to draw any conclusions on this issue? Was it really terrible or were the French services on the ground more or less adequate?

• (0925)

Mr. Graham Fraser: From what I understand, VANOC decided to assign bilingual volunteers to areas where the probability was higher that there would be francophones, for example in registration areas, in the media room and at other critical areas. This strategic distribution of bilingual volunteers meant that in the street, for example, the probability of someone wearing a blue vest being bilingual was less likely. For those who wanted to somewhat test the volunteers' bilingualism in the street and who pointed certain people out, it was sometimes difficult to find them. The fact remains that in specific areas where francophones needed services, the probability of meeting bilingual staff was higher.

One result of this strategic decision struck me. For example, athletes' families from Quebec were welcomed and accompanied in the bus by volunteers who spoke French. There were also the events. A strategic effort was made to offer good accompaniment to identifiable francophones, if you will.

The Chair: Thank you, Mr. Commissioner.

Thank you, Mr. Nadeau.

We will now go to Mr. Godin.

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

I would also like to welcome you to the official languages committee, Mr. Commissioner, as well as your team.

Before the Olympic Games, there was some discussion about a report that you had requested from the RCMP, but that you had not received. I would like to hear your comments on that subject.

Mr. Graham Fraser: We finally received the report. All I can tell you about the RCMP and security in general is that, to my knowledge, we did not receive any complaints.

Ghislaine, am I mistaken?

Ms. Ghislaine Charlebois (Assistant Commissioner, Compliance Assurance Branch, Office of the Commissioner of Official Languages): No.

Mr. Yvon Godin: We are discussing complaints. There are rumours that you received between 40 and 100. How many did you receive?

Mr. Graham Fraser: I believe the final total was 38.

Ms. Ghislaine Charlebois: During the Olympic Games, we received approximately 40 complaints. In the beginning, we heard from several people, but after having analyzed this information, we realized that several people in the end had just written letters of opinion. They sent in their comments. After having checked with them, we realized that they did not officially wish to complain.

Therefore, after analysis, we can state that we received some 40 complaints concerning the Olympic Games.

● (0930)

Mr. Yvon Godin: They did not wish to file complaints.

What did the complaints deal with?

Ms. Ghislaine Charlebois: The vast majority of the complaints concerned the opening ceremonies.

Mr. Yvon Godin: The opening ceremonies.

Mr. Graham Fraser: Yes, 38 of the complaints dealt specifically with that, and the rest concerned other aspects of the Olympic Games.

Mr. Yvon Godin: Mr. Fraser, during talks that you had with VANOC, were there discussions about the opening ceremonies, such as the agenda of the ceremonies, for example? Did you make any comments on this issue?

I recall that during the Canada Winter Games in Bathurst and Campbellton, the same “mistake” occurred, if you can call it that. Personally, I would not refer to that as a “mistake”, because no one can say it was not discussed in advance. The opening ceremony was terrible, nothing was in French. In the end, I raised the issue in the House of Commons. Parliament was not prorogued for the Canada Winter Games in Bathurst. Perhaps it was not important enough. Nevertheless, things were corrected for the closing ceremonies.

Mr. Graham Fraser: Yes and no. We mentioned our concerns as far as the opening ceremonies were concerned. The opening ceremonies were prepared with a high level of secrecy. Therefore, every time we raised the issue, we were told that it would be a great surprise for the world and that we would be very satisfied.

As I said, I do not want to comment at this point concerning the complaints that we received. However, all I can say is that Mr. Nadeau quoted me quite accurately. I got very emotional feedback the next day. Afterwards, when the complaints were received, there was a period of time during which we could not comment. Therefore, I no longer comment. Nevertheless, if you want to see the rather emotional reactions that I received the next day... I do not deny the comments I made at that time.

We did indeed make them aware of our concerns and we were assured that it would be a tremendous surprise, that we should not worry and that we would be satisfied.

Mr. Yvon Godin: Did you not find that the great surprise was specifically that the two official languages were not respected? That was the big surprise.

Perhaps the government will try and tell us that the games were fine from start to finish, etc. I don't think anyone challenged the games themselves. We do not ask an athlete to be bilingual, and we do not ask everyone to speak both official languages of the country. That is not the issue. We are rather discussing the opening ceremonies of the games, the closing ceremonies of the games, and the front-line services. We have to make a distinction between the two.

I received a letter from the minister in which he tells me that the games were wonderful, that everything was fine. We never challenged that. We're not questioning the games, but indeed the way in which everything was administered. Do you agree with me?

Mr. Graham Fraser: Yes, like you, I learned of the minister's comments when he appeared before you one week ago. I did not repeat his comments.

However, there is another distinction that must be made: some obligations are to the Olympic Movement and are not part of our obligations. We must remember that there are two official languages and that French has precedence there. If there is a conflict in the statutes or rules of the Olympic Movement, the French version prevails.

Ms. Charlebois said that we received a certain number of comments that were not formal complaints. There were comments on the issue of French during the opening ceremonies, and others who said that there was too much French. We had to explain that during the introduction of the athletes, they were introduced first of all in French and then in English, not because of the Official Languages Act, but because of the rules of the Olympic Movement. In our analysis of the ceremonies, we have to make the distinction between the protocol of the Olympic Movement, which received the very positive approval of Mr. Couchepin, and the essentially Canadian elements.

● (0935)

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

It is not every day that one can say they hosted the Olympics at home, but that is the case of our colleague, John Weston. In fact, several of the Olympic sites are in his riding.

Mr. Weston, you have the floor.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Thank you, Mr. Chair.

I would like to thank you for being with us today. It is a great pleasure as well because we are talking about the Olympics. In fact, I think that they represented a great success for British Columbia. Expectations were not necessarily very high with regard to the use and presence of French, even in the thick of the games.

My friends and I were surprised to hear so much French spoken among the athletes, at the airport, among volunteers and during the ceremonies. People have talked about the opening ceremonies, but we can also mention the opening ceremonies of the Paralympic Games, during which a lot of French was spoken. I attended that ceremony and noted that it was truly bilingual. Could you talk to us about the media and youth, and tell us what you believe the future of British Columbia will look like? In terms of Canadian bilingualism, we might say that the province is in its infancy. What will the bilingual legacy be for the media and our young people?

Mr. Graham Fraser: I would first like to say how much I appreciated Vancouver's festive atmosphere and welcome. Unfortunately, I was not able to visit Whistler, but from all I heard, the festive atmosphere was so pervasive that no one could remain insensitive to it.

Visitors from all over, truly, were made to feel welcome. I had a conversation with a former Quebec minister who said that the French language had been given an impeccable treatment on the ground, i.e., in British Columbia.

Such a festive experience can have a profound influence on a city and province, although it might take some time to fully define. In terms of influence, young people were inspired by the performances they saw. There were interviews with young athletes who said how they themselves were inspired by Olympic athletes 15 years ago. The speed skating medallists spoke of how they took great inspiration from Gaétan Boucher. That might be the kind of thing we hear about in 12 years, i.e., the extent to which today's young Canadians were inspired by this experience.

The same is true for the games' legacy. First of all, there is the legacy infrastructure. The Richmond oval now has signs in both official languages. There was a time, before the games, when polls showed that the people who were most critical of the games were Vancouverites and British Columbians. They saw the negative side of the preparations, including the traffic congestion, and were quite pessimistic. I think that there has probably been a reversal in attitude today. I think that everyone can be proud of what was accomplished with those games.

As with the experience in federal institutions, we do hope that all this will raise the service standards in both languages. I also hope that this event will have helped instil a sense of pride in our bilingualism.

● (0940)

The Chair: Thank you, Mr. Weston.

We will move on to the second round of questions with Mr. Bélanger.

Hon. Mauril Bélanger: Thank you, Mr. Chair. Good morning, Commissioner.

I have three questions about the games. I would then like to question you about Air Canada. If I run out of time, I will come back to that in a later round.

Others and myself agreed with the minister, during his appearance before us last week, that there was a good level of compliance with the Official Languages Act at the games overall. However, you

yourself noted some shortcomings this morning. I was not aware of them, but I repeat that things went well overall, except for the opening ceremony.

This is not something you want to say this morning, but you have already done so. Could I ask you to repeat what you said the day after the opening ceremony?

Mr. Graham Fraser: To save you from having to do the research, I said, as Mr. Nadeau quoted, that I had the impression that French was a bit like snow in Vancouver, that it was quite difficult to find and sometimes kept in a box until needed on occasion. I also said that it was my impression that the ceremonies had been conceived, developed and presented in English with a token French song at the end. I cannot deny what I said, even though that will complicate my assessment of the complaints we will now be processing.

Hon. Mauril Bélanger: That leads me to my second question, Commissioner.

Let us suppose that your report will contain the conclusion or remark you have just made, and with which I totally agree, because as a francophone I could in no way identify with the opening ceremony. What preventative measure do you intend to take so that once your report is made public it cannot be condemned for criticizing the ceremony, because you have already commented on that?

Mr. Graham Fraser: In fact, there are two elements. First of all, the complaints target the Department of Canadian Heritage. We therefore have to uncover the sequence of events that led to the end result. In my view, the important thing is to look to the future. Condemning an institution that will no longer exist once the investigation is completed is not very useful. I think that we have to look ahead and consider how important it is to distinguish between the obligations for federal institutions within the Official Languages Act and the values that are expressed by that legislation.

I think that in this case, everyone agrees with the obligations in terms of services on the ground, thanks to your efforts, in large part, to the efforts of everyone—

● (0945)

Hon. Mauril Bélanger: Commissioner, I must interrupt you because five minutes are not enough to reasonably consider these issues. I will do a follow-up during a subsequent round. If your report criticizes the government, I encourage you to draft it in such a way that it can withstand the attacks that will be unleashed because of the comments you made the day after the opening of the games. I urge you to bolster your report's defences, please.

The Chair: Thank you, Mr. Bélanger.

Mr. Lemay, the floor is yours.

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Since I only have five minutes, I will try to be brief. I have been involved in all of the Olympic Games since 1984, with the exception of Beijing, since by that time I had been elected MP. Don't worry, I will not go over what you experienced in Vancouver.

However, I am very concerned by a sentence in your opening remarks. Allow me to quote the following from the next-to-last paragraph on page 1:

This document will also include my proposals on how best to reflect linguistic duality in the organization of other large-scale events in Canada as well as international events that project the image of the country.

I strongly recommend that you look at what is going on in Toronto for the 2015 Pan American Games. I also invite the committee to do the same. We will have to do so very shortly because the Olympic Games are always a high point. Do you have any authority over international events that are held in Canada, such as a world cup, world championship, Pan American Games, Commonwealth Games or the Olympic Games? I am thinking of a particular world cup and world championship. There will be many such events in Canada between now and the 2015 Pan American Games.

We know that the Canadian Heritage hosting policy contains a section on the respect of official languages. Do you have the authority to monitor international events like a world cup or world championship that are held in Canada, in terms of compliance with official languages?

Mr. Graham Fraser: Officially, my responsibilities apply to federal institutions and their contractual relations with third parties. Needless to say, it is more difficult to ensure compliance with language obligations in contractual relations with third parties. That said, I do not know what the federal government's relation is with those sporting events.

Mr. Marc Lemay: I will tell you. There is the federal government, Canadian Heritage and the Secretary of State for Amateur Sport. As for the international cycling, ski, swimming and diving federations, the World Championships and World Cups are given to the national federations. They are responsible for presenting the events and complying with language obligations. Given that, do you have any compliance authority?

• (0950)

Mr. Graham Fraser: I have the authority to ensure that contracts issued by federal institutions comply with the Official Languages Act.

Mr. Marc Lemay: But if—

Mr. Graham Fraser: Ms. Tremblay might like to add something to that.

Mrs. Johane Tremblay (Lead Counsel and Director, Legal Affairs, Office of the Commissioner of Official Languages): In cases where Canadian Heritage is a stakeholder in contribution agreements with those organizations, language provisions are included to ensure compliance with the official languages. That is how we can intervene with Canadian Heritage.

Mr. Marc Lemay: My question was more specific. Do you exert any control over them? Can you audit them? If you cannot control them, the net result will be that there will be no French outside Quebec. I have been involved in countless world championships outside Quebec, in Ontario. I participated in the 1993 World Championship Road Race. I did them all. English is the only language spoken during those competitions. Preparations are underway for the Pan American Games. Do you have any control there? Do you have enough measures to ensure compliance? I would like to hear you on that.

Mr. Graham Fraser: I will quote the famous piece of advice given by Deep Throat during the Watergate scandal. He said:

“Follow the money”. We can do follow-up when federal funds are involved. Where there is no federal funding, things become quite difficult.

Mr. Marc Lemay: There is a lot of money for international events. We are talking about millions of dollars.

I would now like to address the Air Canada Jazz issue. I come from the Abitibi-Témiscamingue region.

The Chair: I would ask you to be brief.

Mr. Marc Lemay: I will be brief. How come we cannot exert any control over and do not have French-language services on Air Canada Jazz, which covers Quebec, New Brunswick, Nova Scotia as well as Ottawa? I will not mention the number of flights I have taken. Do you have any authority over that situation?

Mr. Graham Fraser: Things become difficult with subsidiary corporations. There are language obligations on flights, but the same obligations do not apply to language of work and ground service.

The Chair: Thank you, Mr. Lemay. We will now turn to the government side. Ms. Boucher, you have the floor.

Mrs. Sylvie Boucher (Beauport—Limoilou, CPC): Good morning, Mr. Fraser. Welcome to our committee.

A lot has been said about the Olympic Games and the use of French during the opening ceremony, what with the wonderful song. I think that all, including the Minister of Canadian Heritage, were disappointed with the opening ceremony.

However, generally speaking, I know that many people and many in the media said that the games were the most representative of the francophonie in the history of the Olympics. In your view, was that the case with our games?

Moreover, the francophone media and CPAC had a lot to say about how exceptional the games had been for them. Mistakes were made just like in other events. In general, was French properly represented at the Olympic Games?

Mr. Graham Fraser: I do not want to make comparisons with other Olympic Games, because I was not in attendance. As well, I wouldn't want to draw any comparison with those held in Calgary or Montreal.

As I said in my opening remarks, given what was identified in our previous studies, we can assert that the games were a success. We do, however, have a reservation, and we will be investigating the problems that were identified or complaints received.

In terms of language, my own personal experience in Vancouver was positive.

• (0955)

Mrs. Sylvie Boucher: Overall, a lot was said about official languages. We all had questions following our meeting with VANOC. We were also wondering about Air Canada.

Have the issues that were identified here, in committee, been resolved or are there things still outstanding? I am thinking about the Toronto airport, among other things.

Mr. Graham Fraser: In that case, I should speak of some anecdotal evidence. I heard of a traveller who flew from Munich to Toronto, during the games. All of the other passengers were passing through Toronto on their way to the games. The person I spoke with said with some surprise that he had been welcomed in both official languages in Toronto.

I think what struck me with federal institutions, including the Toronto airport, was that there was a real effort to provide the proper language services. I am confident that we will not lose ground in the future. Efforts were made: I am thinking about the DVD on active offer that was prepared by Parks Canada, an initiative that is being taken up in other departments. There is also the Air Canada employees' outreach campaign. There is also the "Un moment s'il vous plaît" session to get people to call on a bilingual colleague if they are unable to provide the service in person. That goes to show that the federal institutions that have obligations now better understand the nature of those obligations.

There is one thing in particular that we have found: institutions often do not understand their obligations. I'm thinking in particular about airport authorities. It is only following our audits and questions that people became aware of the nature of their obligations.

The Chair: Thank you, Ms. Boucher.

I would like to add my voice to that of Ms. Boucher concerning the song *I Believe*, and draw the attention of committee members to the fact that this is a bilingual song that was sung by Annie Villeneuve and Nikki Yanofsky. It was sponsored by the consortium, not by VANOC.

You spoke earlier about Coca-Cola and The Bay. That is a very good example of corporate bilingualism that hit the mark. I would like to congratulate them on that excellent initiative. I recall that they did a second recording toward the end of the Olympic Games. That was a nice way to incorporate various language and cultural elements.

Mr. Graham Fraser: If I may, I would like to clarify one of my answers regarding Jazz. Jazz's obligations are those of a third party. There is a contractual relationship with Air Canada, i.e., that Jazz operates on behalf of Air Canada, which is subject to the Official Languages Act. Jazz is not.

Air Canada's contractual relationship with the government ensures its accountability.

The Chair: Does that answer your question?

Mr. Graham Fraser: Mr. Lemay asked the question. I simply wanted to clarify my response.

The Chair: In any case, we can continue to look into that issue.

Mr. Godin.

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

I believe we still have one hour left. Let us turn the page and move on to the issue of Air Canada. Let us take flight with Air Canada.

Mr. Fraser, you say that the responsibility lies with Air Canada. Now, Air Canada has a contract with Jazz. It is therefore up to Air Canada to specify what the contractual obligations are. According to

the act, is Air Canada required, as part of its contract with Jazz, to demand bilingual services?

• (1000)

Mr. Graham Fraser: I do not understand.

Mr. Yvon Godin: Does Air Canada have to force Jazz to provide services in both official languages?

Mr. Graham Fraser: Yes.

Mr. Yvon Godin: Under the existing legislation?

Mr. Graham Fraser: Yes, that is my understanding. But I would like to ask Mrs. Tremblay to give us some more details about that.

Mrs. Johane Tremblay: Indeed, just like any institution that calls on a third party to provide a service on its behalf, Air Canada has to ensure that the third party provides the service in both languages, as it itself would do. Jazz now covers a number of regional routes, but it is no longer a subsidiary of Air Canada. According to our interpretation, it is a third party operating on behalf of Air Canada. Air Canada must ensure that Jazz offers bilingual services.

Mr. Yvon Godin: Mr. Fraser, do you intend to conduct an investigation into Air Canada so that it complies with the Official Languages Act?

Mr. Graham Fraser: Yes. Moreover, we will conduct an audit of Air Canada's services to the public. It will begin this year. The audit will be quite in-depth. A meeting has been planned for this week between myself and one of Air Canada's senior executives.

Mr. Yvon Godin: I am asking you the question because I find that, lately, Air Canada is showing a complete disregard for the official languages. The situation is worse than it has ever been. On March 24, I sent a letter to its customer relations unit in Calgary. I will send you a copy, Mr. Fraser. I referred to flight AC8742. In my book, "AC" refers to Air Canada, not to Jazz.

When you ask for a glass of water, you receive orange juice. Yesterday morning, I flew from Bathurst to Montreal. The Bathurst area is 80% francophone. As for Montreal, I don't have to belabour the point. This time, I asked for a glass of orange juice and was brought a glass of water. When I pointed out the mistake, I was told "I'm very sorry". You might find that amusing; I do not, not one bit. I wanted to make sure that the person did not understand French, that it was not a simple, one-off mistake on her part. Upon disembarking the plane in Montreal, I asked the flight attendant whether she thought it was quite foggy outside. She answered: "Yes, there's no more snow".

Air Canada does not meet its legal obligations in Quebec. Will you conduct an investigation and report back to the government on the reasons why Air Canada does not comply with the act?

Mr. Graham Fraser: That will be part of an audit. Furthermore, we investigate the complaints that are sent to us. If my memory serves me correctly, we have received 355 complaints concerning Air Canada over the past five years. We are continuing to highlight the importance of the travelling public's language rights. That is one of our priorities. As I have said, we will conduct an audit that goes beyond the issue of third party institutions in order to get to the bottom of things.

Ms. Charlebois could add to what I have just said.

•(1005)

Ms. Ghislaine Charlebois: Among other issues, our audit will lead us to address the designation of bilingual positions, recruitment, employee language training and the assignment of staff on the ground and in the air. We want to meet with employees and unions. We really want to get to the bottom of the issue. With regard to the questions that you raise, we find that the complaints-based approach does not appear to be resolving the issues. We want to get to the bottom of things and understand why Air Canada is not in a position

Mr. Yvon Godin: There is another institution called the court. You have the power to turn to the courts. This is not only a question of respect, it is an obligation under the law. I consider you to be the watchdog of the Official Languages Act. If a complaints-based process does not work, then there is the law and the courts. If Air Canada does not comply with the Official Languages Act, will you feel compelled to call on the courts to ensure compliance?

The Chair: Thank you, Mr. Godin. There is the law and then there is the stopwatch. Thank you. You have done a good job of covering the issue.

We still have some speakers on the list, starting with Mr. Bélanger.

Hon. Mauril Bélanger: I would be remiss if I didn't try to obtain a response to that thoughtful question, so go ahead Mr. Commissioner.

Mr. Graham Fraser: We are considering all the instruments—and I do say “all the instruments”—within the act to ensure its compliance. That includes the commissioner's power to use a legal recourse.

Hon. Mauril Bélanger: Thank you.

I would now like to ask my third question about the games, Commissioner.

During his appearance last week, the minister spoke about Pascal Couchepin, who was the Great Witness of the francophonie at the Vancouver Winter Olympic Games. However, the Great Witness of the francophonie for the Turin Games, Lise Bissonnette, commented on the Vancouver Winter Olympic Games during an interview with Carl Bernier on Radio-Canada radio. Mr. Bernier questioned her about an article that appeared in *La Presse* the day after the opening ceremony. In that article, she wrote that she had been utterly scandalized about the lack of space given to French. Ms. Bissonnette then indicated that she believed that a distinction was again being made between the cultural language and the language of communication, a topic that she would address during a speech that she gave later that day. She added that the opening ceremony was first and foremost a cultural event and that the organizers had completely missed the boat. Another Great Witness of the francophonie seems to agree with you.

I went to listen to Ms. Bissonnette's speech. That led me to ask the minister another question. Mr. Commissioner, do we want to treat French like a functional language rather than a language that builds a sense of identity? If possible, I would like you to deal with that issue in your report, because I believe it goes beyond the issue of the games and that opening ceremony. It addresses the implementation of the Official Languages Act and Canada's identity. Is French a

language that builds our identity and culture, or is it becoming a functional, utilitarian language? I will come back to that, but I will await your report before delving into that further.

Let us talk about Air Canada, even though my colleague, Mr. Godin, has gotten ahead of me and asked my question in part. During the 37th, 38th and 39th Parliaments, we attempted to adopt legislation, but to no avail. Can you access the courts without such legislation?

Mr. Graham Fraser: It is important to be extremely specific about the obligations that have been respected or not before going before the courts. I think that Air Canada's experience before the courts was not a good one. If we remember the Thibodeau case where Air Canada appealed, the appeal court judge ruled that the carrier had the obligation to produce results. That said, with regard to intervening in Air Canada's corporate structure, we must be extremely cautious. That is why I believe it is extremely important to have a bill covering entities and not just ACE because, if we are to believe the rumours, it is quite possible that ACE will be dissolved in the coming weeks or months. It is essential to be extremely prudent before going before the courts, when dealing with an organization undergoing change.

•(1010)

Hon. Mauril Bélanger: I will soon be out of time. I have a request to make of you, Commissioner, and your team. In the absence of legislation, would you be prepared to review the last one or three bills submitted, and could you provide us with your comments concerning amendments that should be made to them to deal with all eventualities? You know, there are other ways of submitting bills before Parliament, so if an MP or a senator were prepared to do so I would like them to be able to benefit from your comments before moving forward.

The Chair: Thank you, Mr. Bélanger. We will now move over to Mr. Généreux.

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Good morning, Mr. Fraser, good morning everyone, and welcome.

Since Air Canada is obviously a very big company with its subsidiaries, what tools are available to you to verify what the company says concerning, for example, the hiring of staff, the major difficulty in finding bilingual staff in Canada, or with regard to the application of the Official Languages Act? What tools do you use in order to verify what it tells you?

Mr. Graham Fraser: First, we have tools in order to respond to complaints and to conduct audits, issue notices and also communicate with upper management. Also, the member has raised the idea of going before the courts. We have already intervened before the courts to support Mr. Thibodeau when he made his case. So, such a tool does exist. As Ms. Charlebois explained, the audit allows us to identify exactly the kind of issue that you have raised.

Mr. Bernard Généreux: If you could have other tools in order to investigate further, what would they look like?

Mr. Graham Fraser: You know the commissioner has considerable power to investigate. We can summon witnesses. We have a broad series of powers to investigate federal institutions or institutions that are subject to the Official Languages Act and have obligations under it.

•(1015)

Mr. Bernard Généreux: Forgive my ignorance, but I would like to know whether, in the past two years, you have met on a regular basis with Air Canada in order to verify your facts?

Mr. Graham Fraser: I have a meeting scheduled this week. I have already met with the president. That said, the usual way is through the analysts. Perhaps Ms. Charlebois could briefly explain how the analyst communicates with Air Canada.

Ms. Ghislaine Charlebois: We have analysts who are assigned to various institutions. We have a team of analysts who regularly work with Air Canada. They have contacts within that institution. They also have access to all the individuals with whom they need to speak when a complaint is made. In short, there is very regular communication.

Mr. Bernard Généreux: If I can come back to the comments made earlier by Mr. Godin and if I have understood correctly, based on his interpretation or his verification of the facts, there has been a significant decline in the level of bilingualism within Air Canada. Based on your interpretation, have you reached the same conclusion?

Mr. Graham Fraser: This is one of the institutions that has the most difficulty respecting its obligations under the act. There is a fairly continuous series of complaints laid before us. The committee has already heard a number of Air Canada's responses and they are similar to what Air Canada's representatives told us in October, here in committee. So, it is clear that there are problems.

Mr. Bernard Généreux: One final question, Mr. Chair.

What do you believe are the reasons? Is it a lack of will by the company or is it because the company is providing such a broad range of services that it is difficult for it to correctly provide the service? I am talking about the company and its subsidiaries.

Mr. Graham Fraser: Based on what Air Canada has told me, there are a number of factors. It merged with Canadian, 10 years ago, which means that the percentage of bilingual employees dropped suddenly from 60% to 40%. Then, at the time of the merger, there was a group of employees who were upset, according to Air Canada about the way they were treated during the merger. This created various problems within the organization for reasons unrelated to the provision of service in both official languages.

It also claims to have difficulty, even with individuals who have completed immersion programs, in meeting the bilingualism standards to which the company is subject outside Quebec and the National Capital Region.

The aeronautics industry is also suffering economic problems. We were told that, in a given period, when the company almost went bankrupt, the situation was quite dire. There were other priorities, such as keeping the company alive.

I think that the best people to answer that question in detail would be Air Canada representatives because they are the ones subject to such obligations.

The Chair: Thank you, Mr. Généreux.

We will end our third round with Mr. Nadeau.

Mr. Richard Nadeau: Mr. Chair, I will be sharing my time with Mr. Lemay.

First, I would simply like to provide Ms. Boucher with some reassurance about the Olympics. The 1976 Montreal Games were clearly the most francophone games in Canada. I remember—I was 17—that our beloved Queen of England, Elizabeth II, made the opening remarks at the games solely in French. She adopted the language used by the Québécois nation to open the games. The most francophone games in Canada were in Montreal.

Commissioner, I simply want to give you other ideas, that you have no doubt already thought of, with regard to the report that you will table in the fall. The Quebec Premier, Jean Charest, was not happy with the opening ceremonies either. You should, nevertheless, verify this with him.

Ms. Marois, who is the leader of the official opposition in Quebec, had stated that 25% of the content would have to be French in order to recognize the Quebec fact within the Canadian nation. Not just one Garou would have had to sing, but rather four. Perhaps you have heard that. In fact, there should have been more francophone content.

In my opinion, we always see this kind of minimalism. It's as if people said that there needs to be some French, so we'll put a bit in as a stopgap and to try to make the francophones happy without making the anglophones unhappy.

That is always what I think of when I think about this kind of situation. For too many people in Canada, there are still only two official languages: English and translation. That is how it works and how people think. Forget about the French fact. It is a necessary evil for some and something to get rid of for others. We can think of eastern Ontario and our friend Galganov, who comes back to the fore now and again.

Also, we heard that institutions still fail to understand their role. After 143 years in a so-called confederation which really isn't one, but which is rather a federation, it's difficult to have to hear repeated every time that the French fact within the Canadian whole is still not understood at all kinds of events and particularly for high-level international events.

Those are the comments I wanted to make before giving the floor to my friend, Mr. Lemay.

•(1020)

Mr. Marc Lemay: Thank you.

I will be fairly brief because there will likely be a fourth round. I may be able to ask other questions.

For your information, Commissioner, the memorandum of understanding signed between Toronto and the Pan American Games stipulates that the second language will be Spanish.

This situation will have to be monitored, I am telling you, because I am aware of what is going on in these negotiations. It is possible that English and Spanish will be the official languages at the Pan American Games on Canadian territory. I just wanted you to know that.

To come back to Air Canada, I have a question for you. Do you have access to travellers' complaints that are submitted directly to Air Canada?

Mr. Graham Fraser: If they do not provide a copy of the complaints they submit directly to Air Canada, I have no way of gaining access to them. If a traveller writes a letter of complaint to the president of Air Canada and sends us a copy, then we will be aware of the situation. For example, if members of Parliament send a complaint to a minister and c.c. me, I will receive a copy of that letter. But if they don't, then there is no way of knowing that complaints have been made.

Mr. Marc Lemay: If you receive a copy of the complaint—and it is recommended that people do send you a copy—does Air Canada send you a copy of the responses that it sends to citizens who complain that there is a lack of respect for the two official languages on a flight?

Mr. Graham Fraser: That can happen, but we are talking about correspondence between two people. In general, if someone writes to someone else and sends a copy to three other people, then they will receive the answer. However, offhand, I cannot give you any examples of correspondence with Air Canada of which I have received a copy.

Mr. Marc Lemay: But I was wondering whether anyone sends you copies of their letters.

The Chair: Your last question, Mr. Lemay.

Mr. Marc Lemay: Yes, my last question will be very brief.

If someone sends you a certified copy, do you have the authority to ask Air Canada what the response was to this person who complained that the two official languages were not respected?

• (1025)

Mr. Graham Fraser: Absolutely. Something else we can do and have done is the following: if someone writes to me or sends a copy of a letter that resembles a complaint to me, often, an analyst will contact that person and ask whether they want to submit an official complaint. Sometimes, the individual will state that they do not want it to be considered a complaint. On other occasions the person may indicate that they do want it to be considered an official complaint. I see that Mr. Godin has already experienced this.

The Chair: Thank you, Mr. Lemay.

Commissioner, you state that you received 38 complaints concerning the opening ceremonies. Were all 38 of these complaints about the lack of French?

Mr. Graham Fraser: I believe so. I don't think that there were any comments indicating that there was too much French.

Ms. Ghislaine Charlebois: You are right. The complaints all concerned the lack of French.

The Chair: Thank you.

[English]

Thank you for that quick answer.

Now we'll go with Mrs. O'Neill-Gordon.

Mrs. Tilly O'Neill-Gordon (Miramichi, CPC): Thank you, Mr. Chairman.

Welcome, witnesses.

First of all, coming from the east coast, and coming from a province that's the only bilingual province in Canada, although I'm not bilingual myself I certainly appreciate the work of such committees and I appreciated seeing how wonderfully you guys put it all together at the Olympic Games. You deserve a lot of congratulations.

As a teacher, I was in a school where French immersion was being taught, and many students and parents brought their children into that. I find it depressing to hear Mr. Nadeau say that in Quebec it is just one language, and that's what's taught. We're trying to bring children into our community and it's the youth who are going to make the difference. It's the upcoming generation who are going to make the difference in Canada and make Canada the bilingual country it is, not just in New Brunswick, but right across, including Quebec as well.

So I'd like to say congratulations on a great job. But I also realize that with Air Canada you do face many challenges from day to day, and it's not always that you can have it go as smoothly as you would like it to go. But I know, in that situation, as well, you are doing a great job, and our government appreciates all the work you're doing.

May I ask if you have an idea of how much it costs Air Canada to maintain the Official Languages Act obligation?

Mr. Graham Fraser: I don't have a total figure. I know that when there was a representative from Air Canada who appeared before your committee in October, she talked about over a million dollars in training costs. I'm not sure whether that's over a one-year, two-year, or multi-year program. I can't give you an overall figure.

One of the things about language services is that once those language services are in place, if you have bilingual employees, if the signage and information has been prepared in both languages, then the cost drops to zero. And it speaks a bit to the identity challenge that language represents.

Something that's worthwhile remembering is that, above and beyond the obligations, there were private sector companies in Vancouver that ensured that all their signage was in both languages. To the best of my knowledge, there was no vandalism. Thirty years ago, had those signs been as rigorously in both languages in western Canada, somebody would have taken a paint can to them.

Now we are at a point that it's taken for granted that both languages will be present in certain events. Sometimes it's an afterthought. It took a fair amount of pressure and nagging from your committee, from the government, from the FCFA, from our organization, but once that bilingual signage was in place it became part of the landscape. So the challenge, in many ways, is to ensure that this becomes what people take for granted as part of the landscape.

•(1030)

Mrs. Tilly O'Neill-Gordon: I see that as contributing to the fact that our youth and our generation of today see the need and the use of both languages being present. We can look forward to these young people coming up.

As a grade one teacher I look forward to them coming up and changing things as they go in a more positive way.

Mr. Graham Fraser: As I said in my declaration, I was very impressed how, from one Olympic Games to another, we saw not only more medal winners, but more medal winners who were spontaneously—sometimes still panting from having won a medal—able to give interviews in both languages.

I think everybody was moved by the personal stories recounted often in a very charming way in both languages by our extraordinary medal-winning athletes.

Mrs. Tilly O'Neill-Gordon: Thank you, Mr. Chair.

The Chair: Thank you, Mrs. O'Neill-Gordon.

[*Translation*]

Commissioner, when the representatives of Air Canada appeared before our committee, they explained to us that they are subject to the Official Languages Act, like other government entities, but that unlike these entities, they do not have access to certain funds.

Do you have any comments on this topic?

Mr. Graham Fraser: Organizations have all sorts of obligations in our society. Sometimes, the government decides that it is worthwhile helping a company honour these obligations. However, we would expect that a private-sector company would respect its environmental obligations. That is part of this company's obligations. The government can decide to help the private sector. Subsidies are awarded in other areas. I'm not against this idea, but I do not think that this excuse should be used by a company that has signed a formal contract containing obligations.

The Chair: Thank you, Commissioner.

Mr. D'Amours.

Mr. Jean-Claude D'Amours: Thank you, Mr. Chair.

Commissioner, these discussions have taken place repeatedly between committee members and Air Canada representatives. It's always the same thing. They tell us that they do not have the means to implement these measures and thus want the government to provide them with financial assistance, as it does for other departments. However, there is a major difference between these two situations. The condition was clear: the signatories had to fulfil these obligations. They knew this, and yet they still decided to sign the agreement. They knew that by virtue of these obligations, they would have to offer their services in both official languages. This means that it is up to them to respect that agreement. You expressed this very clearly at the beginning of the meeting. They signed an agreement that they must now respect. If they did not want to respect these obligations, they should have continued negotiating and specified that they did not want this clause included. The agreement likely would simply have fallen through, given that the clause was part and parcel of what the government wanted at the time.

My colleague, Mr. Bélanger, asked you earlier to tell us what, in your opinion, should be included in a bill to ensure that the loopholes in the system are closed up. In that way we wouldn't have to amend the act all the time to adapt to changing realities. Companies sometimes change their name, for different reasons, or hive off a portion of their business. But that doesn't change the fact that they must fulfil their obligations.

You haven't had time to answer, but I would like to know if you intend to provide us with these recommendations. In that way, if the government doesn't want to go forward, we could at least find a way to tackle this situation. We've been going in circles for too long. Minister Cannon gave us some hope in 2006, but our hopes were quickly dashed. Nothing came of it, absolutely nothing. Parliament was prorogued, supposedly to allow the government to reflect on the road ahead, but this prorogation certainly did nothing to foster bilingualism at Air Canada.

Do you believe that you will be able to provide us with these recommendations?

•(1035)

Mr. Graham Fraser: Mr. Chair, I am an officer of Parliament. In my opinion, one of the requirements as such is to be available to members of all political parties. In the past, when people from political parties or members of Parliament prepared bills, our legal services were available for consultation and to answer any questions on the ramifications or meaning of any given section. I think that the members of all parties can attest that our legal services were available and that our expertise was at their service. As an officer of Parliament, I am very proud of the fact that our expertise is available to all parliamentarians and all members of all political parties.

Mr. Jean-Claude D'Amours: Time goes by too quickly when I speak. Maybe the Conservatives opposite—because I hear comments—want it to be over quickly.

Are the comments we have made this morning sufficient, or would you like to have an official request in writing so that you can respond to it? Are you able to provide us with certain pieces of information?

Mr. Graham Fraser: I'm a bit hesitant. I know that our legal services are available for consultation. However, as concerns preparing a bill ourselves, that's another story.

Mr. Jean-Claude D'Amours: You wouldn't necessarily have to prepare a bill. Since the beginning of our meeting this morning, you have raised certain concerns and points. This information should be taken into account as part of a bill. So it's more about your concerns, or what should be included to minimize these concerns, as well as information that could ensure compliance with the Official Languages Act.

We're not asking you to draft a bill, but rather to help us identify key elements that should be included therein, that would make your work easier and ensure that the Official Languages Act is respected by the people of Air Canada and its future employees.

Mr. Graham Fraser: We have duly noted your wish to study this. We'll see what we can do. Rest assured that our legal services are at the disposal of all parliamentarians who are seeking legal advice on specific issues.

Mr. Jean-Claude D'Amours: Please let us know if you need clarification or if you need our requests in a certain format and we will follow up.

The Chair: Thank you, Mr. D'Amours.

Mr. Godin.

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

I would suggest that we discuss the first bill that was tabled with the House of Commons and that we comment on it, namely, what was missing and what was present. It's as simple as that. A bill has already been drafted. I don't think that it's up to the commissioner to draft the bill. However, he could make certain remarks, especially where certain problems exist.

Personally, I would refer to the first bill that was tabled with the House and that was so watered down that it no longer exists. It was never adopted. That's what happened.

Mr. Graham Fraser: I have already emphasized the importance of identifying entities, given the risk that a corporate change could make certain elements of the bill obsolete.

Mr. Yvon Godin: Earlier, Mr. D'Amours said that when Air Canada was privatized, it was subject to the Official Languages Act. The people in this company knew what they were getting into. What they didn't realize is that things would no longer be the same when the Liberals forced Air Canada to buy Canadian Airlines Limited. The only alternative for Canadian Airlines Limited was to be bought out by an American company. So the people from that company were stuck with the workers from Air Canada.

I had certain concerns in that regard because of this. If you look at part II of the employment insurance legislation, there are amounts granted to provide training to people in the private sector, not only in the public sector. I believe that Quebec receives over \$800 million and New Brunswick over \$100 million per year to offer training.

So if there is an obligation to provide bilingual services, as the act stipulates, do you really believe that the government should completely ignore Air Canada as it is doing and refuse to provide it access to training programs? Whether it be to perform a basic job or exercise responsibilities linked to bilingualism, don't you believe that the government could help Air Canada provide training and thus ensure that the act is respected?

• (1040)

Mr. Graham Fraser: Mr. Chair, I find this idea very interesting. The member is much more familiar with the provisions of the Employment Insurance Act than I am. That is something I had not considered.

The question of training interests me a great deal. I'm thinking not only of training within the federal government, but also of opportunities to learn a second language in post-secondary institutions.

Mr. Yvon Godin: I'll tell you why I'm saying this. It's not only because of Air Canada. The anglophones in my region say that they would like to have training to learn the other official language in order to find work, even with the government. But the government doesn't want to touch that with a ten-foot pole.

Language training is just as important as training intended to show people how to use a machine or a computer, because it's part of people's jobs.

Mr. Graham Fraser: I agree with you wholeheartedly.

To answer your question, this is in line with one of my arguments concerning the definition of leadership skills. We cannot claim that language is a separate issue. It's an essential component of the skills.

Mr. Yvon Godin: Yes. As I said, it's not only because of Air Canada. If we truly want both languages to be equal and receive services in both languages, then this should be an essential part of an employee's training, like all other parts. I think we could solve many problems in this way. I know I'm repeating myself, but at the same time I want Mr. Moore to hear what I have to say. Or at least I want his assistants to hear it and I want them and you to repeat it to Mr. Moore, who is the Minister of Canadian Heritage and responsible for Official Languages.

As Ms. O'Neill-Gordon said, that is what young people today want. Times are changing. We've come a long way from the times when ships left England and France and those aboard fought until they arrived in Canada. The new generation is coming. They have forgotten that their grandparents told them that they had to fight. They want to learn both languages and I find that commendable. In my region, Acadie-Bathurst, it's a wonderful thing to see. However, they need the tools.

The Chair: Thank you, Mr. Godin, for this promotion of bilingualism.

We will now complete the last round with Mr. Nadeau, who, I believe, will be splitting his time with Mr. Lemay.

Mr. Richard Nadeau: You guessed right, Mr. Chair.

I just wanted to come back to something that Ms. O'Neill-Gordon said and what Mr. Godin has just said on the question of what young people want. It's true, but the parliamentarians of all political parties must want it too to make it happen with legislation that is complied with and implemented. We must ensure that the government in place, regardless of its party stripes, has the will to ensure that French is a language on equal footing with English in all federal institutions. This is very important. We cannot keep putting it off to the next generation. The act has existed for 40 years.

I have a question for you, Mr. Fraser. I'm using a specific example, but it could apply to a more general situation. The contribution agreement between the Department of Canadian Heritage and VANOC is a document that was signed. It is only in English. We were the ones, on the Standing Committee on Official Languages, who asked to have a copy in French. You may recall that the government was reluctant to distribute it to the media, but it did agree to give it to the committee. It could have given it to the media as well, because we would have made headway more quickly.

The contribution agreements were drafted in English only for an organization called VANOC, which was responsible, among other things—even though it did not honour this responsibility—for the equality of French and English in the organization of the Olympic Games, which have an impact throughout the world. Is this normal, or should we point out to the government that, at all times, contribution agreements should be drafted in both official languages?

• (1045)

Mr. Graham Fraser: That's an excellent point and I have no specific answer to give you concerning the contribution agreements.

Does Mrs. Tremblay have anything to add regarding language obligations under contribution agreements, aside from VANOC?

Mrs. Johane Tremblay: There are no obligations as concerns the language in which the contribution agreement is drafted but, naturally, given that the beneficiary is supposed to implement the obligations, it is definitely preferable that it be drafted in both languages. If the contracting party is a lawyer and only understands one language, the tendency is usually to draft the agreement in the language of the attorney, but this is not a legal or contractual agreement as such, with obligations that must be implemented.

It's more than a question of obligations, as the commissioner said. It's a question of clearly understanding the value of such a document. It would certainly be more respectful of the spirit of the law that these agreements be drafted in both languages rather than simply in the one language in which the contracting party is more comfortable.

Mr. Richard Nadeau: Fine.

So I hope the message is clear and that it will be transmitted to the parliamentary secretary. Unfortunately, she is not present today. This is a very important message if official languages are to be respected, they must be respected throughout the mechanisms of the federal government and not only in certain circumstances, for appearances' sake.

I will now turn the floor over to my colleague, Mr. Lemay.

The Chair: You have one minute left, Mr. Lemay.

Mr. Marc Lemay: Okay, I have one minute.

So I would ask that you keep a close eye on the agreement to be signed between the federal government and the Pan American Games to be held in Toronto, because I believe that it is currently drafted only in English.

Mr. Yvon Godin: And in Spanish.

Mr. Marc Lemay: No, Spanish is for the agreement with the Pan American Games.

Ms. Charlebois mentioned earlier that you are going to meet with Air Canada, and that you would be conducting studies, checking to find out what is happening with its subsidiaries, including Air Cargo, ground services, Air Canada Vacations and Aeroplan. Are you also going to check with those who benefit from the presence of Air Canada, namely, airports, small airports? Let's talk about Air Canada Jazz, which serves several airports and New Brunswick, among others, and Air Nova elsewhere. Are you going to try and ascertain what is happening within Air Canada Jazz?

Mr. Graham Fraser: Just to clarify, the audit that we will be doing concerns the services to the public provided by Air Canada and its components. I don't know, given the contract agreement with Air Canada Jazz, if it is included.

Concerning obligations in the airports, there are language obligations in airports that welcome at least one million passengers per year. In small airports, there are no language obligations. That is how the regulation was drafted. It's difficult for us to go any further, I believe.

• (1050)

The Chair: Thank you.

Ms. O'Neill-Gordon.

[*English*]

Mrs. Tilly O'Neill-Gordon: I just want to make a point to Mr. Godin. He is right that actions speak louder than words.

I want to assure you that over the years I have taken French as a second language, and I have taken it again since I've been here. So it's not just something I'm preaching but not doing. I feel more comfortable in my own language, and that's why I speak in my mother tongue when I'm speaking here.

The Chair: Thank you, Mrs. O'Neill.

[*Translation*]

We would like to thank the commissioner. We will suspend the meeting for a few minutes and then deal with the report from the steering committee for the members of the committee.

Thank you.

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:
Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

*En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :*
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

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

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and
Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the
following address: <http://www.parl.gc.ca>

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

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les
Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à
l'adresse suivante : <http://www.parl.gc.ca>