

**Report on the Government of Canada's Consultations
on Linguistic Duality and Official Languages**

February 2008

FEB 29 2008

The Honourable Josee Verner
Minister of Canadian Heritage,
Status of Women and Official Languages
15 Eddy Street, 12th Floor
Gatineau, Quebec K1A 0M5

Dear Minister,

I would like to begin by thanking you and the Prime Minister for the confidence that you showed me by asking me to preside over the Government's consultations on linguistic duality and official languages. It was a pleasure to have the opportunity to serve my country in the context of these rich exchanges. The individuals and organizations that I met demonstrated unabashed passion and commitment to official languages and linguistic duality. I believe that they will continue to be dedicated partners for strengthening these fundamental values of Canadian identity.

Through this letter I am presenting you with my *Report on the Government Consultations on Linguistic Duality and Official Languages*, as well as the resulting recommendations. These recommendations were guided not only by the discussions I had during my meetings, but also the memoranda that were submitted and the documents that resulting from recent community consultative processes, such as the *Sommet des Communautés francophones et acadienne* and the *Greater Montreal Community Development Initiative*.

I hope this document and its recommendations will be of use to you in elaborating the Government's new strategy for the next phase of the *Action Plan*. I am confident that this new strategy will continue to build on what has already been accomplished by governments and official language minority communities, and reflect your Government's commitment to this key issue. I wish you much success in its elaboration and implementation.

Yours sincerely,



Bernard Lord

Foreword

In June 2007, during her address to the Sommet des communautés francophones et acadiennes, Josée Verner, Minister of Canadian Heritage, Status of Women and Official Languages, announced her intention to conduct broad consultations on the Government of Canada's vision of official languages and linguistic duality. On December 3, 2007, Prime Minister Stephen Harper and Minister Verner tasked me with the responsibility of presiding over and facilitating regional consultations and to report back on the consultative process with recommendations to the Minister for her consideration in the elaboration of a strategy for the next phase of the Action Plan for Official Languages.

The consultations highlighted the support for bilingualism and linguistic duality that is present across the country. I had the pleasure to meet and have frank discussions with a multitude of organizations and individuals. The overwhelming majority of people I heard from, regardless of their origins, their area of involvement or their age, is ready and committed to the promotion of linguistic duality in Canada. The passion they expressed for their communities and for the principle of linguistic duality, and the honesty with which they confronted current issues and challenges were very much appreciated. The consultative process tapped into the dynamism and commitment of those who work in an area important to Canadian identity. I would like to thank all those who took the time to participate in the consultations and whose contribution informed my recommendations regarding the next steps that the Government of Canada should take in its support of official languages.

Throughout this process, I had the pleasure and privilege of working with a team of public officials and advisors without whom organizing the consultations and drafting this report would not have been possible. Their assistance allowed me to focus all my attention on the participants' comments. Their support made the task of synthesizing these rich conversations much easier. I would like to thank them for their hard work and commitment.

This report summarizes the exchange of perspectives that occurred during these last few months in the context of these consultations. While it is impossible for me to repeat all that was said, the essential points are reflected and inform my recommendations. I call upon the Government to consider the points of view expressed in this report and I make some recommendations regarding the overall direction of the next phase of the Action Plan for Official Languages.

Erratum:

In the third sentence of the first paragraph on page 8 (Review of the Consultation Process):

"I also had the opportunity to meet with a number of stakeholders, such as the Commissioner of Official Languages for New Brunswick, Ontario's French Language Services Commissioner, and the Commissioner of Official Languages, Mr. Fraser."

Table of Contents

Introduction.....	1
Official Languages: Facts and Figures	2
<i>The Statistics</i>	2
<i>Public Opinion</i>	4
The Federal Government and Official Languages.....	6
<i>Almost 40 Years of Support</i>	6
The Action Plan for Official Languages (2003-2008).....	6
Review of the Consultation Process	8
Reporting Back on the Consultations	9
<i>General Observations</i>	9
<i>Demographic Changes</i>	10
Newcomers	10
Youth and education	11
Seniors.....	12
Arts and culture.....	12
<i>The Economy and New Technologies</i>	13
Language training as a tool for full participation.....	13
Credential recognition.....	14
Use of new technologies	14
Economic development.....	15
Language technologies.....	15
Employment for Quebec Anglophones.....	16
<i>Government Modernization</i>	16
Cooperation on official languages	16
Coordination within the federal system	17
Simplify the administrative process and funding request.....	17
Providing for the capacity of the Government and official language minority communities	18
Recommendations.....	20
<i>Education, Immigration, Health, Arts and Culture: Key Areas of Action</i>	20
<i>Promoting and emphasizing the value of linguistic duality</i>	21
<i>Services in the minority official language</i>	22
<i>Multilateral cooperation</i>	22
<i>Recognition of regional differences</i>	23
<i>Financing</i>	23
<i>Effective governance</i>	23
Conclusion	24
Appendix A: Report on the Online Consultations	25
Appendix B: Questions Asked.....	30
Appendix C: List of Participant Organizations and Individuals.....	32

Appendix D: The Legal Framework for Official Languages.....	41
<i>The Constitution</i>	41
<i>The Official Languages Act</i>	41
<i>Amendment of the Official Languages Act (Bill S-3)</i>	44
Reference Documents	45

Introduction

As announced in the 2007 Speech from the Throne, the Government of Canada is committed to actively supporting linguistic duality in Canada. In so doing, it fosters the equality of status for English and French, which implies equitable treatment of speakers of English and French.

In a context of globalization and growing diversity in the country, and given that the Action Plan will soon be coming to an end, the Government organized consultations in order to gather the perspectives of Canadians on important issues relating to linguistic duality and the development of official language minority communities. These consultations are just one of the sources of information that will inform the elaboration of the strategy for the next phase of the Action Plan. The results will complement the work carried out by the parliamentary committees on official languages, the Commissioner of Official Languages, official language minority communities (e.g., 2007 Sommet des communautés francophones et acadiennes), intergovernmental discussion forums (e.g., Ministerial Conference on Canadian Francophonie). The Government of Canada will also draw on the ongoing dialogue between federal, provincial and territorial departments and the official language communities.

These consultations discussed a broad range of themes, demographic changes, the economy, new technologies and government modernization. Following a brief overview of the context, this report offers an overview of the main elements of the answers to the discussion questions (see Appendix C) and the main issues raised during these consultations. My recommendations take into consideration everything I heard, as well as the documents and submissions that were submitted during the consultations of these last months.

Official Languages: Facts and Figures

The Statistics

According to 2006 Census figures, the two official languages, English and French, are the languages most frequently spoken by a large majority of Canadians (98 percent), while 94 percent use them most often or regularly at home. Of the 31,241,030 Canadians, approximately 18,056,000 have English as their mother tongue (Anglophones), an increase of 3 percent since 2001, and approximately 6,892,000 people have French as their mother tongue (Francophones), or an increase of 1.6 percent since 2001. For both groups, the increase was slightly larger than the growth observed in the preceding five-year period. Anglophones still make up the majority of the population. While the number of Anglophones continued to increase, their share of the Canadian population dropped from 59.1 percent in 2001 to 57.8 percent in 2006. The same is true for Francophones. Their share of the population declined from 22.9 percent in 2001 to 22.1 percent in 2006. The rapid growth in the immigrant population having a mother tongue other than French or English (allophone) explains the decrease of Anglophone and Francophone communities.

Although there are Francophones living in every Canadian province, they are unevenly distributed. Outside Quebec, the number of Francophones with French as a mother tongue reached 975,000 compared with 980,000 in 2001 and 976,415 in 1991. According to the 2006 Census, 4.1 percent of the population outside Quebec has French as their mother tongue. This proportion is in decline compared to the one observed in 2001 (4.4 percent), a decline primarily caused by migration exchanges with Quebec. Canada's Francophones are concentrated mainly in three bordering provinces — Quebec, New Brunswick and Ontario. In fact, the Francophones from these three provinces, 6,599,455 of them, represent more than 96.7 percent of all Francophones in Canada, and this means that Quebec alone accounts for 85.8 percent of Francophones; Ontario, for 7.4 percent; and New Brunswick, for 3.4 percent.

In Quebec, Anglophones represent approximately 607,000 individuals, however the number increases to 995,000 individuals if we include those who have English as their first official language spoken. Although Anglophones reside in all parts of Quebec, they are distributed unevenly across the province. Anglophones are mostly concentrated in the Montréal administrative region, the biggest official language minority community in Canada, with a little less than 310,000 Anglophones. In this region, 596,000 persons have English as their first official language spoken; these represent 60 percent of the English-speaking population of Quebec. Substantial numbers of Anglophones are also found in the administrative regions of Montérégie (144,000), Laval (68,000), the Outaouais (59,000), the Laurentides (33,000) and Estrie (24,000). Between 1996 and 2006, the regional Anglophone communities in Quebec experienced different changes, some having important growth and others a considerable decline of population. The 2006

Census is the first census since the 1950s to reveal an increase in the Anglophone population of Quebec.

Between 1951 and 2001, English-French bilingualism has grown steadily in Canada. During this period the number of bilingual Canadians tripled, jumping from 1.7 million to 5,448,850, while their proportion within the population rose from 12 percent to roughly 17.4 percent. In 2006, 13.3 percent of Canadians could sustain a conversation in French only, 67.8 percent in English only. About 5,448,850 respondents indicated that they were bilingual. Of those individuals, approximately 53 percent are Francophones and 30.7 percent are Anglophones.

In Canada, the knowledge of French increased between 2001 and 2006 among the Anglophone population (from 9.0 percent to 9.4 percent) and the allophone population (from 11.8 percent to 12.1 percent). Bilingualism grew or remained unchanged among Anglophones in every province and territory since 2001. In Quebec, nearly seven out of 10 Anglophones (68.9 percent) reported knowing both English and French in 2006, compared to 66.1 percent in 2001. In 2006, 7.4 percent of Anglophones outside Quebec said they could carry on a conversation in both official languages, an increase from 7.1 percent reported in 2001. The figure below presents bilingualism rates and how they were distributed across Canada in 1996, 2001 and 2006.

Figure 1: Rates of English-French Bilingualism and Distribution of the Bilingual Population in 1996, 2001 and 2006 (Canada, Provinces and Territories)

	English-French Bilingualism, Canada, Provinces and Territories, 1996, 2001 and 2006			Distribution of the Bilingual (English-French) Population, Canada, Provinces and Territories, 1996, 2001 and 2006		
	% of the pop. 1996	% of the pop. 2001	% of the pop. 2006	% of the pop. 1996	% of the pop. 2001	% of the pop. 2006
Canada	17.0	17.7	17.4	100.0	100.0	100.0
N.L.	3.9	4.1	4.7	0.4 (Nfld. only)	0.4	0.4
P.E.I.	11.0	12.0	12.7	0.3	0.3	0.3
N.S.	9.3	10.1	10.5	1.7	1.7	1.7
N.B.	32.6	34.2	33.4	4.9	4.7	4.4
Que.	37.8	40.8	40.6	55.0	55.6	55.4
Ont.	11.6	11.7	11.3	25.5	25.2	25.3
Man.	9.4	9.3	9.1	2.1	2.0	1.9
Sask.	5.2	5.1	5.0	1.0	0.9	0.9
Alta.	6.7	6.9	6.8	3.7	3.9	4.1
B.C.	6.7	7.0	7.3	5.1	5.1	5.4
Y.T.	10.5	10.1	11.4	0.1	0.1	0.1
N.W.T. ¹	6.3			4.0	0.1	
N.W.T. ²	7.7	8.4	8.9			0.1
Nun.	4.1	3.8	4.0		0.0	0.0

¹ Including Nunavut

² Excluding Nunavut

Sources: 1996, 2001 and 2006 Census figures

Public Opinion¹

Linguistic duality is promoted as part of the changing face of Canada, marked by immigration and cultural diversity. According to a 2006 Decima Research poll, conducted for Canadian Heritage, 72 percent of Canadians are in favour of bilingualism in Canada, an increase of 16 percent since 2003. This figure represents significant progress, especially among Anglophones, where the level of support for language equality sits at 65 percent. Support is even stronger among young people aged 18-34, with 80 percent in favour of bilingualism (see Figure 2 for the regional breakdown). The Survey also found that 82 percent of Francophones and 74 percent of Anglophones believe that both official language groups should receive the same quality of education

¹ This text is drawn from the first section of the discussion document for the Government consultations on linguistic duality and official languages

and are prepared to provide minority schools with increased resources in order to achieve this.

Figure 2: Regional summary of public opinion

	Que.	Maritimes	Ont.	Man./Sask.	Alta.	B.C.
In favour of bilingualism across Canada	91%	77%	66%	66%	58%	68%
In favour of bilingualism in their province	85%	79%	66%	63%	53%	59%
Agree that it is important for children to learn a language other than English (French in Quebec)	98%	90%	84%	78%	--	88%

Source: Decima and CROP/Radio-Canada

This same Survey found that 70 percent of Canadians felt that bilingualism was a defining feature of the country; for 65 percent of Canadians, linguistic duality is a source of cultural enrichment. The fact that English and French are spoken in Canada, according to 68.8 percent of Canadians, improves employment and business opportunities for all Canadians.

The 2006 CROP/Radio-Canada Poll supports the Decima findings, noting that roughly 80 percent of Canadians say they support bilingualism in Canada. A similar proportion of Canadians (81 percent) acknowledges and supports the idea of Canada remaining bilingual. Roughly 8 out of 10 Canadians (including 94 percent of Francophones) believe that finding employment is a good reason to become bilingual. They truly believe that being bilingual could help them find work. As well, 70 percent of Canadians outside Quebec believe that French should be compulsory in all primary schools. However, many factors can explain why a majority of Canadians are not bilingual. Notably, 76 percent stated that there is a certain degree of apathy about learning the other language. Of these, 70 percent cited a lack of opportunity to speak that language, and 62 percent of Canadians would take French courses (English courses in Quebec) if they were more readily accessible.

According to the Decima Research Poll, 70.1 percent of Canadians believe that the Canadian Government has a significant role to play in promoting and protecting the status and use of French in Canadian society with 67 percent of Canadians believing that the Canadian Government is doing a very good job in preserving both of Canada's official languages. Also, 41 percent of Canadians feel that the Government of Canada should get more actively involved in promoting and protecting the status and use of French in Canadian society. According to the CROP/Radio-Canada Poll, Canadians have clear expectations when it comes to bilingualism in federal institutions, with 80 percent of Canadians believing that senior public servants should be bilingual.

The Federal Government and Official Languages²

Almost 40 Years of Support

Following the enactment of the *Official Languages Act* (the Act) in 1969, a number of programs were created to promote minority-language education and to provide support for official language minority communities. The Parliamentary Resolution of 1973 made, for the first time, the Government of Canada responsible for ensuring the full participation of members of Anglophone and Francophone communities in the public service. In 1977, a Treasury Board Circular (a policy series) made a general statement directed toward all institutions subject to the Act. This Circular introduced the bilingualism bonus and the delegation of authority and accountability to institutions. Accountability was achieved through annual plans and other monitoring and evaluation methods.

Since the enactment of the 1988 *Official Languages Act* (OLA), under certain conditions services had to be offered in both official languages. Therefore, the Treasury Board Secretariat set up advisory committees for the departments and Crown corporations subject to the OLA in order to establish an official languages consultation and communication mechanism with key stakeholders. The OLA also included provisions for intergovernmental cooperation on minority-language services and the promotion of linguistic duality. This led to the creation of official languages support programs of which the following were key elements: support to official language minority communities and promotion of official languages in Canada through cooperative efforts with provincial and territorial governments, minority-community organizations and other volunteer organizations dedicated to promoting linguistic duality.

In 1991, the Government adopted the *Official Languages Regulations (Communications with and Services to the Public)*, which defined the notion of significant demand and was based primarily on ten-year census data. In 1994 the Government adopted an accountability framework for federal institutions whose activities were considered vital to the development of official language minority communities, inviting them to make a special effort to implement the federal government's commitment to Part VII of the OLA. Since then, the Government has expanded its efforts into other key areas concerning the vitality of official language minority communities, especially arts and culture, where federal institutions play a key role in terms of access, creation, development, and sustainability.

The Action Plan for Official Languages (2003–2008)

² This section is based on the information contained in the third section of the discussion document.

Released on March 12, 2003, and ending on March 31, 2008, the Action Plan for Official Languages is a policy statement of the Government of Canada that specifies the implementation of obligations under the *Official Languages Act* and includes a number of initiatives aimed at the enhancement and promotion of linguistic duality in Canadian society and the development of official language minority communities. In order to contribute to their vitality, the Action Plan provided for measures in the fields of early childhood, health, justice, immigration and economic development. It also invested to support the federal partnership with the provinces and territories and to promote community radio and community leadership. In 2005, the Enabling Fund for Official language minority Communities was added to reinforce community capacity in human resource and economic development.

The Plan also calls for accountability and coordination measures. The framework described in the Action Plan is based on accountability, results and transparency. Through its adoption, the Government clarified and documented departments' and agencies' responsibilities under each part of the OLA, strengthened consultation mechanisms with communities and improved coordination of the Government's activities through which it fulfills its obligations and commitments under the OLA. This part of the Action Plan led to the development of a formal framework, unveiled in October 2005 under the title *Canada's Linguistic Duality: A Framework to Manage the Official Languages Program*. This framework guided the coordination of actions undertaken by the federal government and the evaluation of their impact on future results in the area of official languages.

Within the public service, the Action Plan sought improvements in the areas of service provision in both official languages, equitable participation of French- and English-speaking Canadians in the federal administration, the use of both languages in the workplace, and support for language training for public servants occupying bilingual positions and integrating language training into professional development on a more proactive basis.

Review of the Consultation Process

The Government of Canada's consultations on linguistic duality and official languages chiefly addressed three themes: demographic changes, the economy and new technologies, and government modernization. More than 300 individuals and organizations were consulted at regional events (Vancouver, Edmonton, Winnipeg, Toronto, Halifax, Moncton, Montréal), plus a wrap-up event in Ottawa on January 24, 2008. I also had the opportunity to meet with a number of stakeholders, such as the Commissioner of Official Languages for New Brunswick, and the Commissioner of Official Languages, Mr. Fraser. The last of such meetings was held on February 7, when I met with certain provincial ministers responsible for the Canadian Francophonie. Canadians and organizations were also able to participate and submit briefs via online consultations (see Appendix A for the report on the online consultations that was posted on Canadian Heritage's website).

At the regional events and the wrap-up event, individuals and organizations working in the fields of linguistic duality and official languages had the opportunity to respond to the questions asked in a discussion document and to raise important issues they are facing. At these one-day meetings, approximately one hour was set aside for discussion of each theme, with a period at the end of the day for open discussion. During each thematic discussion, participants had the opportunity to respond to the questions raised in the discussion document (see Appendix B). Although the open discussion had been planned for the end of the day, the participants were told to feel free to speak throughout the day on any matter they wished to address.

The objective of the consultations was to gather perspectives and ideas on initiatives to be considered in developing the strategy for the next phase of the Action Plan for Official Languages, so that the Government of Canada can act on its desire and commitment to promote linguistic duality and the vitality of the official language minority communities.

The consultative process that the Prime Minister and Minister Verner requested I preside over was not the first step in the elaboration process toward a new strategy. Rather, it built on the groundwork and analysis already completed by public servants, members of the official language minority communities, parliamentarians, and other stakeholders such as the Commissioner of Official Languages.

Reporting Back on the Consultations

General observations

From one end of the country to the other, the participants in the consultations displayed pride in their language and their culture, while showing great openness to the linguistic majority and other cultures. They clearly communicated their desire to share this pride with their fellow Canadians and are anxious to see the Government's approach and the new strategy emphasize promotion of the benefits offered by linguistic duality.

There is unanimous agreement on the importance of the federal government's contribution to supporting and promoting linguistic duality and the official language minority communities. In that context, many expressed their concerns about the trend to download responsibilities to the provinces. They believe that not all provinces are equipped to discharge their responsibilities for linguistic duality. There seemed to be an impression that the provinces do not always implement the cooperation or evaluation clauses, and that some provinces are not aware of the work that has been done, hence the risk of losing what the communities have achieved. Close collaboration between the federal government, the communities and other levels of government is essential if there is to be a concerted effort.

Despite their positive attitude, participants conveyed a sense of frustration and burnout on the part of personnel and volunteers. Examples raised related to difficult negotiations, funding sometimes considered unfair, or requests that have gone unsatisfied. Many stakeholders said they had the impression of "begging" and being dependent on the Government of Canada, particularly Canadian Heritage. It is the organizations' impression that they constantly have to fight for services and support from the Government. For many, the size of the territory involved, a lack of staff and the amount of red tape are causing burnout among the staff of the community network. The organizations feel like service providers who are meeting the linguistic obligations of the Government and they regard themselves as being in the best position to meet the communities' needs. However, they do not think that they have the appropriate resources and want to obtain the necessary tools to change from "clients" to "partners" of the Government in implementing the new strategy.

Even within the minority communities, many groups and agencies have differing views and interests. Although Anglophone and Francophone minority communities are different, they share certain issues in common. In any case, there appears to be a consensus on the importance of continuing the work begun in the Action Plan for Official Languages. The main issues that were raised are the following:

- the importance of valuing and promoting linguistic duality;
- the conviction that linguistic duality is an integral part of the Canadian identity, even though the concept remains to be defined;

- the consideration of education as an element central to the success of linguistic duality and the vitality of the official language minority communities;
- the importance of properly receiving and integrating newcomers in the official language minority communities, particularly Francophone immigrants;
- the importance of supporting the arts and culture as engines of identity and community vitality;
- support for an inclusive definition of the Francophonie that includes French speakers and bilingual individuals and/or francophiles;
- the importance of ensuring access to services in the minority language, particularly health services;
- the importance of partnerships with the communities, provinces and territories;
- the importance of taking account of regional issues and dynamics that set Anglophone and Francophone minority communities apart or bring them together.

Demographic changes

Statistics from the latest census outline trends suggesting that the Canada of tomorrow will be very different from the Canada of yesterday and today. Canada will be facing greater diversity, be it of a linguistic, cultural or religious nature, combined with an aging population, urbanization and rural out-migration already under way. So it is not surprising that the theme of demographic changes prompted the most discussion, since the related issues have impacts in every sector of society, from early childhood to the economy to health. Through these discussions, implications for newcomers, youth, education, seniors and culture clearly emerged.

Newcomers

Most participants feel that the age of biculturalism is past, but recognize the challenges involved in integrating new arrivals, who often want to become part of Canada's linguistic duality. Support for the integration of immigrants is becoming increasingly one of the main issues to be addressed. A majority of stakeholders felt that integration needs to be accomplished rapidly and to draw support from gathering places within the communities to be effective. This might limit the number of immigrants who are automatically directed to services in English, even if they are partially proficient in French. Newcomers are seeking their place within the official language minority communities. Groups representing official language minority immigrants told us of their frustrations over difficulties with integration, particularly with regard to having their credentials recognized.

On the other hand, the Francophone communities would like to see more Francophone immigrants to Canada, especially outside Quebec. This led participants to discuss opening up official language communities to make them more inclusive, by incorporating those who speak and live the language, even if it is not their mother tongue. This trend is already happening among Quebec Anglophones, and the

organization representing the Anglophone communities defines them as English-speaking communities in Quebec.

Some suggested solutions

Participants suggested that the federal government adopt concrete measures to encourage Francophone immigration outside Quebec. To take better advantage of immigration, many participants suggested that programs be developed so that infrastructure and integration services may be offered to immigrants in the official language minority communities. Measures should then be put in place to ensure that all newcomers are informed of the availability of reception and coaching services in the language of their choice.

Youth and education

Youth also emerged as a source of strength and continuity for the communities. As participants pointed out, however, the challenge is to give them the capacity to live in the minority official language, a challenge that is particularly pronounced in Francophone minority communities. Education then becomes a key factor for the communities, right from early childhood. On this point, the participants deplored the limited resources in this sector on many occasions, along with the lack of daycare spaces.

Stakeholders noted that French immersion programs are increasingly popular, and the institutions that offer these courses are in great demand but facing a shortage of qualified teachers of French as a second language. This is the case everywhere in Canada. Students generally leave French immersion programs when they get to high school, largely because they see no possibility of studying in French at the postsecondary level and want to study in English starting in high school, in order to be more proficient in the language by the time they finish their education. In spite of major efforts by certain universities, many young people decide to go on to higher study in the other language, often in another province.

Participants also noted the emergence of a bilingual identity, particularly among young people. They claim that this phenomenon does not necessarily lead to assimilation—quite the reverse. This openness is not limited to the culture of the other official language: it also applies to other languages and cultures. Once again, the interventions preferred by the participants are in the field of education, because by that means the communities can profit from young people's interest in learning the minority official language and can continue to reach out to the next generation.

Some suggested solutions

The consultations highlighted the desire among stakeholders for the Government to take action to support education in the minority language and teaching in the second language, through special teaching programs for professors who want to teach in French in universities in minority communities, financial support programs to encourage the mobility of Francophone teachers, and staff exchange programs. Participants also suggested that the Government might launch a strategy to promote

French-as-a-second-language programs and publicize the good results achieved by students registered in such programs. Scholarship programs should be improved to promote education in a Francophone university; this would serve as an incentive to young people to continue immersion programs until the end of high school. A strategy must be developed to reach out to young people and ensure that they use local services, live in the minority language, and have experiences in the other official language (e.g., internships or scholarships).

Seniors

Participants from Francophone minority communities noted several times that the aging population is having a major effect on them. The communities clearly indicated that their seniors were one of their strengths, as they represent a source of knowledge, mentoring and support. Participants pointed out that most of the volunteers who support their community organizations are members of this generation. Seniors often have more time to offer their expertise for the benefit of the community. Keeping these individuals active thus becomes not only a question of support for a specific population, but a key factor in community vitality. In order to support seniors, many noted the importance of being able to offer health care to them in the language of their choice.

Some suggested solutions

The participants asked that the new strategy permit the communities to equip their seniors to play a leadership role. They see seniors as representing a potential solution to labour shortages and playing an important role in transmitting cultural and linguistic values to young people through mentoring programs, for example.

Arts and culture

The arts and culture emerged as a unifying thread of the consultations. Participants mentioned many times that arts and culture serve to build cultural identity, contribute to community vitality and make it possible to bring all clienteles together around common elements. Participants proposed that culture serve as a gateway to the international stage. The arts and culture are useful for attracting and integrating immigrants, as well as strengthening identity and developing a sense of belonging. For participants, the arts and culture are therefore a key element of the integration of newcomers, and play an important role in tourism and the economy. Community service points, for example, are hubs of development and also serve to disseminate culture and local capacities. They can thus serve as places to gather, access services and discover local activities, both for tourists and members of the community.

Some suggested solutions

It is therefore suggested that culture be clearly included in the new strategy. This could be done by supporting artists from the official language minority communities so that they can create, promote themselves and disseminate their works. Participants also proposed that the Government support organizations that have successfully created links between the cultural and educational sectors, for example through cultural activities in schools. The Government should also support the development of physical infrastructure, which

will allow the community to gather, facilitate direct interaction with the population and serve as cultural showcases.

The Economy and New Technologies

The transformation of the Canadian economy toward a knowledge-based economy and the emergence and dissemination of new technologies have overturned traditional business practices. This change means new opportunities for the official languages, but at the same time, new issues and challenges such as language training, recognition of foreign credentials and those of other provinces, use of new technologies, economic development, language industries, and the particular situation of young Anglophones in Quebec.

Language training as a tool for full participation

The labour shortage anticipated with the retirement of the baby boomers is going to affect every sector in the years ahead. This phenomenon is worrisome for the communities, who wonder whether the Government will be able to improve or even maintain the level of bilingual service delivery under these conditions. It is therefore necessary that quality language education of comparable quality be offered throughout the country. Moreover, bilingualism constitutes an asset in terms of employment and economic development, both within Canada and in international markets. However, it is not always something that is valued by employers, who rarely regard it as a recruitment asset and who offer little training. Most participants felt that learning several languages enhances the growth and competitiveness of the Canadian economy, as it provides Canadians with the tools needed to communicate more easily with people and businesses in other countries. Illiterate persons are thus faced with a major handicap in looking for work and making the transition to the knowledge-based economy. Participants therefore asked that the Government ensure all Canadians have this essential skill facilitating access to employment.

Some suggested solutions

Participants raised a number of possible solutions for meeting these challenges. The Government could support literacy training programs to improve the level of French and increase the language skills of Anglophones and Francophones in minority communities. At the same time, one of the most often repeated requests was for the definition of standardized norms of bilingualism. These norms would be useful in all sectors of activity among other reasons, to promote bilingualism in private enterprises and encourage young people to upgrade their language skills. Businesses should also be encouraged to foster bilingualism.

Credential recognition

The issue of credential recognition—not only for immigrants, but also for individuals from other Canadian provinces—was discussed on many occasions. In light of a shortage of skilled labour, the communities want to take advantage of all newcomers who comprise a qualified labour pool. Yet these people are often unable to work in their field and contribute fully to the economy. Particularly in the cases of immigrants and teachers, recognition of academic credentials is key to economic development. Recognition of immigrant training or an interprovincial vocational retraining system would be very helpful. Immigrants also have access to commercial networks outside the country which could be better exploited.

Some suggested solutions

The federal government should either facilitate interprovincial exchanges and the creation of a centre for evaluation and recognition of credentials, or designate certain educational institutions as being responsible for updating knowledge and recognizing skills. All of this should be done within a reasonable time frame, so that individuals can acquire the certification required to work in their field.

Use of new technologies

New technologies are outstanding tools for community organizations, and represent the future of many communities. They can contribute to the education of young people and adults and to the development of educational institutions. They are in part a means of countering community isolation and a lack of information. They also allow for improved collaboration within and among organizations at reduced cost. New technologies are already being used in certain of the more remote regions to facilitate learning in the minority language. Participants issued some warnings, however, stating that the Government must exercise caution, as there is a segment of the population that does not have Internet access due to lack of resources or infrastructure, and too often this affects the most disadvantaged groups (seniors, immigrants, women, and residents of remote regions).

Even for those who do have Internet access, the Francophone minority communities point to a lack of relevant Web content in their own language. There are relatively few Canadian Francophone sites on the Web, and many of the most popular online applications in the world are available in English only.

Some suggested solutions

The majority of participants believed that investment is necessary to make new technologies and French-language software more accessible and to promote the creation of content in French. Possible options include support for small- and medium-sized businesses so that they can incorporate new technologies into their operations (e.g., by training resource persons), and the creation of a national and/or provincial fund for the adaptation and use of new technologies. The Government might also develop a connectivity strategy to bring remote regions online. Advantage should also be taken of

distance training, by identifying fields of training that should receive priority and skills clusters within the communities.

Economic development

Regional economic development is a major issue for the communities. Participants pointed out that in some provinces, a large part of the territory is rural and the phenomenon of urbanization is affecting entire families. They also noted the importance of promoting access to employment. Economic development organizations that serve the official language minority communities therefore play an important role in their view. Institutional challenges are compounded by communication challenges, given the small number of community media, and given broadcasting challenges in the regions for populations that do not have Internet or radio access in the minority language. As a result, the communities do not always receive the information they need to fully benefit from economic development opportunities. This lack of an effective communication network is a barrier to economic development in the knowledge-based economy, where markets are increasingly configured in networks.

Some suggested solutions

Official language minority communities are proposing increased funding for the economic organizations that support them, particularly the Réseau de développement économique et d'employabilité (RDÉE) outside Quebec and the Community Economic Development and Employability Committee (CEDEC) inside Quebec. The Government should review the program eligibility criteria and facilitate access to programs for regional businesses. To meet communications and information-sharing challenges, participants asked for expanded local CBC production. The Government could also provide support to community radio stations in different ways. For example, webcasting projects could contribute to outreach and connecting of minority communities. According to representatives of the minority media, local newspapers could receive more support by broadening the scope of the Canada Magazine Fund to help defray distribution costs.

Language technologies

Businesses in the language technologies industry are also faced with a workforce shortage. Industry representatives indicate that Canada holds 10 percent of the world market, where it enjoys an excellent reputation. However, Canada is at risk of losing out to European countries, where the populations speak many languages. It is therefore the opinion of participants that bilingualism could lead to positions in the language technologies industry. Given that many translators will be retiring, more than 800 translation companies will soon be looking for bilingual personnel. This represents an opportunity to develop a promising sector of the economy.

Some suggested solutions

Canada is slow to adopt language technologies. The industry would like to see Canada, through the Translation Bureau, become a showcase for language technologies, much like France, by continuing to promote related technologies. The Government could also create

a scholarship program to encourage students to study in this field, or support the creation of centres of excellence or coaching to help young people become seasoned translators.

Employment for Quebec Anglophones

According to stakeholders, Quebec's Anglophone minority is faced with a problem that does not exist elsewhere in Canada. Anglophones and allophones in Quebec have difficulty finding employment, including with all levels of government. Young people there have trouble finding employment in the retail sector because their bilingualism is considered imperfect. This situation is causing them to leave for the urban areas or other provinces. Participants emphasized that many of those who leave subsequently find bilingual jobs outside Quebec, where their knowledge of French is considered above average.

Some suggested solutions

For the Anglophone minority communities of Quebec, it is becoming necessary to promote youth employment to prevent mass departures. To this end, support could be provided for community organizations, and the private sector could be made more aware of the issue. The communities are also asking the federal government itself to hire more bilingual Anglophones in its Quebec offices and Crown corporations.

Government Modernization

The Government of Canada is involved in an ongoing government modernization process and to this end has adopted specific measures—in particular, the *Federal Accountability Act*—to increase accountability, transparency and monitoring where government activities are concerned. In the discussions on government modernization, participants identified the following key areas of action: the federal government's cooperation with minority communities, provinces and territories; coordination of official languages within the federal government; administrative processes and types of funding; and the capacity issues facing the federal government and minority communities.

Cooperation on official languages

For the vast majority of participants, it was seen as essential that the federal government work with the other levels of government, particularly the provinces and territories, in collaboration with minority communities, to promote linguistic duality in Canada and step up cooperation in health and education. Organizations expressed their concerns about the possibility of responsibilities being downloaded to the provinces without the appropriate follow-up. In that vein, certain participants asked the federal government to ensure that the provinces and territories accept and comply with the language clauses of framework agreements. Minority communities are sometimes consulted, but often the provinces offer no guarantee of results. According to participants, efforts with regard to official languages have to be better coordinated; indeed, the measures of all levels of

government must be coordinated to prevent existing support from being reduced when the federal government offers new grants.

Generally speaking, community organizations want to work in partnership with the Government to have a hand in planning, evaluation and decision making. The objective is to better coordinate programs and actions. In this regard, the tripartite federal-provincial-community committees have already yielded results. They are making it possible to form alliances that were thought impossible in the beginning, are reversing trends, and are allowing for closer relations with the communities in question. This model should be further developed.

Some suggested solutions

According to most participants, the federal government should work in conjunction with the provinces and territories by concluding partnership agreements and developing joint action plans. Another recurring proposal during the consultations was the inclusion of clear linguistic clauses in all agreements and all transfer payments. In this way, the Government could act as a leader in creating partnerships with the other levels of government and even within minority communities.

Coordination within the federal system

During the consultations, participants pointed out the importance of increasing horizontal coordination capacity within the Government for official languages. Many of the participants felt that certain departments are not well informed about changes in the area of linguistic duality and that coordination could and should be improved. This improved coordination could also support public servants in their obligation to ensure good governance and accountability, facilitating the measurement, monitoring and evaluation of performance-related results, which are essential for demonstrating progress made through government actions.

Some suggested solutions

Participants would like to see an interdepartmental coordination strategy, with one agent or division responsible for coordinating all official languages activities. In that spirit, the Government might set up a cross-government consultation mechanism for official languages, which would include community representation. This would also provide a consultation mechanism for the Anglophone communities of Quebec. Mechanisms for greater transparency should then make it possible to ensure that all federal government departments meet their language obligations and to verify the use of funds allocated.

Simplifying the administrative process and funding requests

At all the meetings, the minority communities asked that administrative processes and funding applications be simplified in order to provide better service to the community. The time and resources necessary to complete forms dozens of pages long and to adjust projects to ensure that the requirements of each department are met are counter-productive and a cause of staff burnout. In some cases, organizations are invited to

submit projects at the last minute in order to benefit from additional budgets that have become available. What is more, organizations then have to wait months after the start of their fiscal year before learning that their funding applications have been approved, and even longer before receiving their cheques. As a result, they have to negotiate with their financial institutions or charge expenses on their credit cards. Sometimes volunteers even have to draw from their own funds to meet pressing needs. Minority communities thus feel pressure to spend money before year-end, and consequently they often cannot benefit from the funding in optimum fashion. While recognizing the necessity and importance of a transparent process under which they are accountable, they are asking that this be done in a manner that is realistic and efficient for all parties.

Some suggested solutions

To simplify the process, participants proposed that more decision-making authority be given to regional office employees, that the process be sped up, that the forms be simplified and that duplication be avoided. All organizations say that they suffer from the fact that budgets are allocated for just one year at a time, forcing them to adopt a short-term vision. They propose that the type and periods of funding be changed to ensure that the communities can plan for the longer term (three to five years with financing for human resources). Minority communities also ask that the wait time before receiving the funding grant be reduced and that they be permitted to retain some operating funds.

Providing for the capacity of the Government and official language minority communities

On the community side, many complained about not having the capacity to participate effectively in the policy development process, in particular due to lack of human resources to commence canvassing work.

Participants took time to comment on the importance of the capacity of their organizations and of the Government. They expressed concerns about the federal government's capacity to deliver services in French with the departure of the baby boomers, when it ought to be a model of bilingualism and guarantee a comparable level of quality in both official languages.

Some participants mentioned the role of language rights in the evolution of official language communities in Canada. These participants believe that efforts should be made to promote these rights.

Some suggested solutions

To build capacity, community organizations would like more support from the Government. Some participants suggested that a program be put in place to address the need for conflict mediation and resolution with regard to language rights with a component providing for the defence and promotion of language rights before the courts under exceptional circumstances. They also want to end their financial dependence on Canadian Heritage. To do this, they are requesting administrative funds in order to take steps to find new funding sources, build their policy development capacity, and

contribute to the formulation of government policies. The Government could also expand language training for public servants so that its employees all across Canada receive training; this could be done through a consortium of universities offering language training for federal employees.

Recommendations

The observations and suggestions that were shared with me are legitimate, and reflect the thoroughness and candidness of the participants. Based on the information presented to me during this process and the issues and challenges that exist in the realm of official languages, certain areas of action have come to the fore. I call upon the Government to consider the points of view expressed during the consultations. Furthermore, the following are some recommendations regarding the overall direction of the next phase of the Action Plan for Official Languages.

Education, immigration, health, arts and culture: key areas of action

Education, immigration, health, arts and culture are the areas of action most often mentioned during these consultations as fundamental elements of the vitality of official language minority communities.

Education was deemed the cornerstone of any strategy contributing to community vitality and to Canada's linguistic duality. Learning the second official language is an opportunity not only to improve one's prospects on the job market, but also to reach out to the other language community and its culture.

Recommendation 1:

I recommend that the new strategy for the next phase of the Action Plan continue to reflect the importance of education for minority-community development and for Canada's linguistic duality, and that both education in the official language of the minority and second-language education be given a paramount position within it.

Recommendation 2:

I recommend that the new strategy emphasize the support to postsecondary institutions that serve official language minority communities.

The subject of immigration is of great interest to official language stakeholders, especially given the increasing diversity of the Canadian population highlighted in the last census. These newcomers are important assets for the country's economic and social development. They can also contribute significantly to the vitality of official language minority communities. For their part, the minority communities can facilitate the integration of newcomers by offering them the opportunity to live and work in their official language. These mutual benefits should not be overlooked and should be taken advantage of.

Recommendation 3:

I recommend that the new strategy support measures to provide services for welcoming and integrating newcomers within official language minority communities, especially Francophone immigrants within Francophone minority communities.

The vitality of official language minority communities, and of Canadian society as a whole, is strongly influenced by the health of their members. As our aging population continues to seek health services in the official language of their choices, the need in this area will only grow. The successes of networking and partnership organizations such as Société Santé en Français are examples to be followed.

Recommendation 4:

I recommend that the new strategy continue to support mechanisms and partnerships that respond to the growing needs of minority communities in the area of health care, by helping them to improve access to these services.

Although they were not explicitly mentioned in the 2003 Action Plan for Official Languages, the Government supports arts and cultural organizations found at the heart of official language minority communities. The importance of culture is undeniable, not only for community vitality but also as a source of economic development and a way of fostering openness toward others.

Recommendation 5:

I recommend that the new strategy for the next phase of the Action Plan give special attention to arts and culture and reflect the federal government's actions in support of this sector.

Promoting and emphasizing the value of linguistic duality

One of the issues most often mentioned during these consultations has been the need to send a clear message to Canadians about the importance of linguistic duality. Many feel that a discourse based on resistance and the defence of language and culture should be avoided, and that actions should instead be focused on revitalizing linguistic duality and identity, and promoting openness toward other cultures and ways of life. By doing so, the Government would be fostering the development of closer ties between minority Anglophone and Francophone communities, and between minority communities and the surrounding majority, particularly in the areas of culture, language and education.

Recommendation 6:

I recommend that the new strategy for the next phase of the Action Plan seek to promote and emphasize the value of linguistic duality, a fundamental value of our society, thereby taking advantage of support among Canadians for both bilingualism and second-language learning.

In order to fully benefit from this linguistic duality, it will be necessary to support the industries that help it to flourish. Language industries represent an economic development opportunity not only for official language minority communities, but for Canada as a whole. Participants representing these groups during the consultations reminded us that in this sector, Canada has a unique position internationally and should take advantage of it.

Recommendation 7:

I recommend that the new strategy include measures to seize the economic development opportunities presented by language industries for minority communities and for Canada as a whole.

Services in the minority official language

Another issue that arose in the discussions I chaired was availability of services. Whether by increasing funding for community organizations and existing networks and partnerships (e.g., in health) or by introducing one-stop service centres, participants emphasized the importance of services for their ability to live in their own language.

Recommendation 8:

I recommend that the new strategy for the next phase of the Action Plan ensure that progress made in this area is not lost and access to services in the official language of the minority continues to improve, while paying special attention to direct service provision for Canadians.

In order to benefit from available services and therefore be better able to live in the official language of the minority, it is important that minority communities be supported by their communications sector. Dynamic community radio and media not only enable the members of a community to be better informed, but help minority communities to connect and forge ties with communities elsewhere.

Recommendation 9:

I recommend that the new strategy boost support for the communications and community media sector so as to promote exchanges and information sharing within and between minority communities.

Multilateral cooperation

Official languages are the subject of bilateral and multilateral cooperation between the federal government and the provinces and territories. It is the view of minority communities that the Government should fully assume its leadership role with regard to official languages, while developing long-term partnerships with the other levels of government and taking advantage of collaborative mechanisms such as the Ministerial Conference on the Canadian Francophonie.

Recommendation 10:

I recommend that the new strategy for the next phase of the Action Plan be implemented in close collaboration with the provinces and territories and that these partnerships respect jurisdictions and reflect the constitutional and legal responsibilities of each level of government.

Recognition of regional differences

The participants in these consultations stated categorically that uniform approaches were unworkable, due to significant regional differences (e.g., rural/urban communities, economic realities of Alberta vs. the Atlantic provinces, etc.).

Recommendation 11:

I recommend that the new strategy target broad national objectives, while allowing for an implementation process that recognizes and reflects regional differences, such as those of Anglophones in Quebec.

Financing

The consultations highlighted the important progress that has been made over these last few years and a strong desire to see this trend continue. Participants saw the 2003 Action Plan as a first step in the promotion of official languages and linguistic duality, and invited the Government to build on what has already been accomplished.

Recommendation 12:

Considering that roughly \$810 million was invested in the previous phase of the Action Plan over the last 5 years, I recommend that the level of investment in the next phase increase substantially, with a minimum allocation of \$1 billion over five years.

Effective governance

There is consensus that the Government of Canada must take on a genuine leadership role and lead by example in the way that it operates. Although effective governance was discussed during the consultations, the recurring theme was one of necessary changes to administrative practices and to the terms, conditions and mechanisms of funding for communities. Such issues are important, but overall, the new strategy should seek effective governance across federal institutions by ensuring that they deliver results that are both concrete and measurable.

Recommendation 13:

I recommend that the new strategy for the next phase of the Action Plan be developed with clear and measurable objectives, and that it continue to support the creation or enhancement of tools needed to ensure effective coordination and evaluation.

Recommendation 14:

I recommend that the new strategy not strive to be a substitute for other Government actions (e.g., rural connectivity projects, public service renewal), but instead complement them by ensuring that any broad Government strategy gives full consideration to linguistic duality and to official language minority communities.

Conclusion

These consultations were evidence of the support for linguistic duality and bilingualism across the country. Everyone I heard from and who participated in the online consultations is engaged and ready to continue working with determination to help advance linguistic duality and to support official language minority communities across the country. Given this support and the fact the Action Plan will soon be coming to an end, the Government of Canada should seize this important opportunity to build on what has been accomplished to the benefit of both official language minority communities and Canadians as a whole.

Whether by promoting and emphasizing the value of linguistic duality and official languages, or by supporting learning of the second official language, the Government's actions to strengthen this unique feature of Canada can contribute to the economic and social development of Canadian society. Encouraging official language minority community development and strengthening the ability of community members to live in the language of their choice adds to the richness of Canadian identity and is a sign of respect for the important place of French and English in Canada's history. By taking advantage of our linguistic duality, Canada is also in a position to seize international opportunities, be they economic (access to other Francophone or Anglophone markets) or political (leadership status as a bilingual country, open to the world). The recommendations contained in this report are intended to help the Government benefit from all these opportunities to the fullest extent.

Appendix A: Report on the Online Consultations³

In the context of globalization and the increasing diversity in our country and given that the Action Plan for Official Languages will soon be concluding, the Government of Canada held these consultations to gather the views of Canadians on issues relating to linguistic duality and the development of official language minority communities. These consultations are only one of the sources of information that will be used to develop a strategy for the next phase of the Action Plan. The results of these consultations will build on the work carried out by the parliamentary committees on official languages, the Commissioner of Official Languages, official language minority communities (e.g., the 2007 Sommet des communautés francophones et acadiennes), intergovernmental discussion forums (e.g., Ministerial Conference on the Canadian Francophonie), and the ongoing dialogue between federal, provincial and territorial departments and the official language communities that they support.

The Government of Canada consultations on linguistic duality and official languages discussed such themes as demographic changes, the economy and new technologies, and government modernization. This report outlines the essential elements of the answers given in response to questions asked in online consultations. Education, immigration and government support for official language communities (notably in the areas of culture, arts and media) were the issues most often raised.

Demographic Changes

If the observed trends continue, tomorrow's Canada will be very different from the Canada of yesterday or today. The population will be more elderly, the Aboriginal population will continue to grow faster than the general population, and visible minorities will become majorities in major cities. The tendency of young people and newcomers to settle primarily in major urban centers will contribute to the stagnation or weakening of regional economies. In addition to these phenomena, there will be a larger linguistic and religious diversity, combined with an aging population, urbanization and rural depopulation. These new realities will be the new context for identity creation.

Official language minority communities are facing the same challenges as Canadian society as a whole: an aging population, the impact of rural out-migration, urbanization and the integration of newcomers. There are some disconcerting factors among Francophone youth: cultural consumption trends appear to favour English; French-language school attendance targets do not appear to be achieved; the retention rate for public Francophone school systems does not appear to meet expectations, etc.

³ This report was posted on Canadian Heritage prior to wrap-up event for consultations (http://www.pch.gc.ca/pc-ch/consultations/lo-ol_2008/index_e.cfm).

How could the government strategy on official languages take advantage of and meet the challenges of demographic changes?

Among the issues arising from the numerous factors of demographic changes, what is the phenomenon on which governmental intervention can have the most impact?

According to the participants in the online consultations, demographic changes are transforming traditional definitions as well as minority Anglophone and Francophone spaces. Given this fast-changing context it was identified that minority communities need to continue to emphasize solidarity and openness and look toward the future.

For the participants, education is a key factor in dealing with the challenges posed by demographic changes. As such, education should feature in the Government's new official languages strategy. The conviction that all Canadians should have the opportunity to learn both official languages clearly emerged during the online consultations. Learning both official languages makes Canadians more employable and better able to contribute to Canadian society. A number of participants felt that immersion programs (English and French) are the most effective way to achieve a greater degree of bilingualism in Canada. However, they complained about difficulty in gaining access to immersion programs and qualified Francophone teachers, in both urban and rural areas. To meet this challenge, some suggested that the Government ensure that a new strategy includes initiatives to recruit more Francophone teachers. According to the participants, Government intervention may have a significant impact by increasing funding to education in both official languages, both to help newcomers learn their first official language and to encourage all Canadians to learn their second official language. A number of them even said that they were open to learning a third language.

In addition to requests for additional investment to consolidate and enhance community networks and institutions, participants raised the need to support the presentation of community and cultural programming by including arts and culture in a Government strategy. In their opinion, such Government support would help consolidate the arts infrastructure and enable artists and arts organizations to play a more dynamic role in the development of their community, by cooperating with organizations and institutions of other sectors. For example, the Government could provide increased support to publishers, thereby becoming a partner in disseminating new realities and participating in the mutual understanding of communities.

The participants in the online consultations also raised the fact that the communities are looking to immigration to help them face challenges posed by demographic changes. They asked the Government to promote and preserve Canada's official languages by giving newcomers the opportunity to learn English and/or French. According to the participants, immigrants could therefore fully contribute to Canadian society. The members of official language minority communities, specifically Francophone communities, also raised the importance of attracting newcomers from Francophone countries to their communities. This could help them integrate into Canada and local vitality, particularly if these new Canadians settle outside major urban centers such as

Vancouver, Toronto and Montréal. Another suggestion was that the Government ensure interprovincial mobility of Francophones by integration services, such as education and access to justice services.

However, some believe that demographic changes show that the Government should only take action in places where numbers warrant, with targeted expenditure in regions with a high proportion of Francophones outside Quebec and Anglophones in Quebec. The remaining funds could therefore be redirected to improve services delivered to all Canadians.

The Economy and New Technologies

Since the end of the last century, we have been witness to a transformation of our economy, which marks a new era as a knowledge-based economy. In fact, a number of changes have been associated with this new economy, particularly the marked development of the tertiary sector. Canada launched itself into this new phase of our economy's evolution through its solid gains in research, cutting-edge technological infrastructure and the creation of a qualified workforce.

Canada has one of the most educated populations in the world, which gives it a significant advantage in the development, dissemination and use of knowledge. As a result, Canadian innovation, in addition to driving our economy, has led to worldwide recognition of Canadian know-how. The emergence and dissemination of new technologies have significantly changed industry's traditional practices. The population is adapting as well: Canadians are well-informed citizens able to take advantage of the reams of information made available through information technology and communications.

How can the government strategy on official languages contribute to the growth and competitiveness of the Canadian economy?

How can new technologies contribute to the development of official language minority communities and linguistic duality?

The participants indicated that education is a key factor for Canada's economic growth. For them, language education of comparable quality needs to be made available across the country. In order for the Government's official languages strategy to be able to contribute to the growth and competitiveness of the Canadian economy, the participants believe that the Government should give priority to second-language instruction programs of high quality. Participants identified an immediate need for support for access to good-quality official language education for all Canadians, including a special need for rural and remote regions. In the opinion of participants, training, recruitment and retention of second-language teachers remain challenges in every region of Canada. Some call for national standards governing teachers' linguistic, cultural and methodological skills. For most participants, learning several languages improves Canadian economic growth and competitiveness, ensuring that Canadians have the

necessary tools to more easily communicate with individuals and businesses in other countries.

The participants raised the importance of improving basic skills and supporting community small businesses that have significant economic spin-offs for official language minority communities. These businesses work most often in the arts and cultural industries and in the media.

In order to benefit from youth enthusiasm, a number of participants suggested that measures be taken to provide them with opportunities to come into contact with the other official language as part of innovative education programs that combine technology and travel-study programs in Francophone regions for young Anglophones and vice versa. Promoting the advantages of bilingualism, not only in the Canadian context but also around the world, was also identified as appropriate.

As for new technologies, the participants pointed out that new technologies, including satellite TV/radio and the Internet, provide members of official language minority communities with greater access to information in their language. These technologies also facilitate communications between communities that are sometimes far apart geographically, promoting cooperation and enhancing the sense of belonging. They also make it possible to break the isolation affecting a number of official language minority communities and make it easier to create networks between creators and Canadians. Furthermore, new technologies help produce works and reduce production costs, thereby democratizing the arts. The attraction of these new production methods to young people is undeniable and gives young Canadians across the country the opportunity to develop their creative talents. The participants recommended that a new strategy support the development and use of state-of-the-art software and hardware in French, the creation of online Canadian content in French, and the growth of the Canadian publishing industry. This support will serve not only the official language minority communities, but would also provide additional support to students in immersion programs.

Government Modernization

Since Canadians are widely informed about the affairs of state, they have high expectations. They seek high-quality services: widely accessible; free of administrative, organizational and linguistic barriers; and adapted to their needs. They also expect ever-increasing accountability and transparency from Government.

For its part, the Government of Canada has engaged in a continuous process of governmental modernization and has adopted specific measures, notably the *Federal Accountability Act*, as well as related strategic and non-legislative measures to increase accountability, transparency and oversight of Government activities. To meet this need, the public service must respect the principles of good governance and accountability. Measuring, monitoring and reporting performance results are therefore essential to demonstrating the progress made through Government action.

Lastly, the public service will, in the near future, face challenges regarding workforce renewal. Government modernization will have to take this reality into account to ensure that services continue to be provided to Canadians.

How can the government strategy on official languages support the government in its modernization efforts?

What opportunities to improve our practices can we seize as part of government modernization?

The participants in the online consultations raised the fact that the new official languages strategy should support the supply of services of comparable quality for everyone and the availability of Government services across Canada. For example, greater access to Government services could be made available to remote communities through single-window services. The Government should continue to support second-language instruction as part of the professional-development activities provided to federal public servants. It should also provide young people with opportunities to learn the other language in order to prepare the next generation.

The participants also mentioned the importance of increasing funding to organizations and institutions to allow them to deliver services in all industries involved in daily life. It was also recommended that the Government systematically include an “official languages” component in each of its support programs (e.g., the Publications Assistance Program and the Canada Magazine Fund).

A number of participants felt that the federal and provincial governments should work together with minority communities to promote linguistic duality in Canada. The governments should use all the means necessary to ensure that students successfully learn their second official language, according to submissions received. As well, participants identified that strong cooperation between the government and organizations would result in an effective partnership that would serve to improve the quality of life of Canadians, particularly those belonging to linguistic minorities.

Appendix B: Questions Asked

Demographic Changes

If the observed trends continue, the Canada of tomorrow will be very different from the Canada of yesterday or today. The population will continue to age, the Aboriginal population will continue to grow faster than the general population and visible minorities will become majorities in major cities. The tendency of young people and newcomers to settle primarily in major urban centres will contribute to the stagnation or weakening of regional economies. In addition to these phenomena, there will be a larger linguistic and religious diversity, combined with an aging population, urbanization and rural depopulation. These new realities will create new identity contexts. This diversity will involve polarization and fragmentation challenges, particularly in urban centres. These new realities will be the new context for identity creation.

Official language minority communities are facing the same challenges as Canadian society as a whole: an aging population, the impact of rural out-migration, urbanization and the arrival of newcomers. There are some disconcerting factors among Francophone youth: cultural consumption trends appear to favour English, French-language school attendance targets do not appear to be achieved, a retention rate for public Francophone school systems does not appear to meet expectations, etc.

Question 1: How could the government strategy on official languages take advantage of and meet the challenges of demographic changes?

Question 2: Among the issues arising from the numerous factors of demographic changes, what is the phenomenon on which governmental intervention can have the most impact?

The Economy and New Technologies

Since the end of the last century, we have been witness to a transformation of our economy, which marks a new era as a knowledge-based economy. In fact, a number of changes have been associated with this new economy, particularly the marked development of the tertiary sector. Canada launched itself into this new phase of our economy's evolution through its solid gains in research, cutting-edge technological infrastructure and the creation of a qualified workforce.

Canada has one of the most educated populations in the world, which gives it a significant advantage in the development, dissemination and use of knowledge. As a result, Canadian innovation, in addition to driving our economy, has led to worldwide recognition of Canadian know-how. The emergence and dissemination of new technologies has disrupted industry's traditional practices. The population is adapting as well: Canadians are well

informed citizens able take advantage of the reams of information made available via information technology and communications.

Question 3: How can the government strategy on official languages contribute to the growth and competitiveness of the Canadian economy?

Question 4: How can new technologies contribute to the development of official language minority communities and linguistic duality?

Government Modernization

Since Canadians are widely informed about the affairs of state, they have high expectations. They seek high-quality services: widely accessible, free of administrative, organizational and linguistic barriers, and adapted to their needs. They also expect ever-increasing accountability and transparency from government.

For its part, the Government of Canada has engaged in a continuous process of governmental modernization and has adopted specific measures, notably the *Federal Accountability Act*, as well as related strategic and non-legislative measures to increase accountability, transparency and oversight of government activities. To meet this need, the public service must respect the principles of good governance and accountability. Measuring, monitoring and reporting performance results are therefore essential to demonstrating the progress made through government action.

Lastly, the public service will, in the near future, face challenges regarding workforce renewal. Government modernization will have to take this reality into account to ensure that services continue to be provided to Canadians.

Question 5: How can the government strategy on official languages support the government in its modernization efforts?

Question 6: What opportunities to improve our practices can we seize as part of government modernization?

Appendix C: List of Participant Organizations and Individuals

List of Participants in the Consultations on Linguistic Duality and Official Languages that Agreed to Be Identified on a Public List

Accès-emploi Suzanne Corneau
Accueil Francophone Natalie Roy
Agence nationale et internationale du Manitoba Marianne Mulaire
Alliance des femmes de la francophonie canadienne Agathe Gaulin
Alliance des producteurs Francophones du Canada Mark Chatel
Alliance des radios communautaires du Canada Roger Ouellette
Alliance Jeunesse-Famille Luketa M'Pindou
Alliance nationale de l'industrie musicale Benoit Henry
Assemblée communautaire Francophone Denis Desgagné
Assemblée communautaire fransaskoise Michel Dubé
Association canadienne d'éducation de langue française Louis Allain
Assemblée de la francophonie de l'Ontario Manon Henrie-Cadieux
Assemblée de la francophonie de l'Ontario Marianne Carrier-Fraser
Association canadienne des professeurs d'immersion/ Canadian Association of Immersion Teachers Suzanne Fournier
Association canadienne des professeurs d'immersion/ Canadian Association of Immersion Teachers Marie Larivière
Association canadienne des professeurs d'immersion / Pembina Trails School Division Philippe LeDorze

Association canadienne-française de l'Alberta Jean Johnson
Association canadienne-française de l'Alberta Joël F. Lavoie
Association de l'industrie de la langue/Language Industry Association Alain Chamsi
Association de l'industrie de la langue/Language Industry Association Gonzalo Peralta
Association de la presse Francophone Sylviane Lanthier
Association des artistes professionnels du Nouveau-Brunswick René Cormier
Association des auteures et auteurs de l'Ontario Jean Malavoy
Association des Francophones du Nunavut Daniel Lamoureux
Association des juristes d'expression française de l'Ontario Sonia Ouellet
Association des universités et collèges du Canada/ Association of Universities and Colleges of Canada Luc Rainville
Association des universités de la francophonie canadienne Raymonde Gagné
Association Francophone des municipalités du Nouveau-Brunswick Achille Maillet
Association Francophone des municipalités du Nouveau-Brunswick Lise Ouellette
Association franco-yukonnaise Régis St-Pierre
Association multiculturelle Francophone de l'Alberta Félicien Mufuta-Batubu
British Columbia Association of Teachers of Modern Languages Wendy Carr
Campus St-Jean Marc Arnal
Canadian Association of Second Language Teachers/Association canadienne des professeurs de langues secondes John Erskine
Canadian Association of Second Language Teachers/Association canadienne des professeurs de langues secondes Valérie Pître
Canadian Association of Second Language Teachers/Association canadienne des professeurs de langues secondes Maureen Smith

Canadian Association of Second Language Teachers/ Association canadienne des professeurs de langues secondes Nicole Thibault
Canadian Association of Second Language Teachers/Association canadienne des professeurs de langues secondes Miles Turnbull
Canadian Parents for French Anna Maddison
Canadian Parents for French (Alberta) Shannon Nelson
Canadian Parents for French (Manitoba) Catherine Davies
Canadian Parents for French (New Brunswick) Walter Lee
Canadian Parents for French (Nova Scotia) Grenville Jones
Canadian Parents for French (Ontario) Monika Ferenczy
Canadian Parents for French (Quebec) Lawrence Depoe
Canadian Parents for French (Saskatchewan) Karen Pozniak
Centre d'accueil et d'intégration des immigrants et immigrantes du Moncton métropolitain Kabule Weva
Centre d'études des universités montréalaises (Université de Montréal) Richard Bourhis
Centre of Distance Learning Innovation and/et Société Éducative de Visites et d'Échange au Canada Raman Sohi
Centre-ville Moncton Daniel Allain
Coasters' Association Anthony Dumas
Collège Boréal Denis Hubert
Collège communautaire du Nouveau-Brunswick – Bathurst Nicole Poirier
Collège universitaire de Saint-Boniface Raymonde Gagné
Collège universitaire de Saint-Boniface Raymond Hebert
Collège universitaire de Saint-Boniface Natalie Gagné

Commission nationale des parents Francophones Ghislaine Pilon
Community Health and Social Services Network Richard Walling
Community Table (The) Jo Anne Fandrich
Concordia University (Community Development) Lance Evoy
Conseil canadien de la coopération Brigitte Gagné
Conseil communautaire du Grand-Havre Brigitte Lavigne
Conseil culturel et artistique Francophone de la Colombie-Britannique Jean-François Packwood
Conseil économique du Nouveau-Brunswick Louis-Philippe Gauthier
Conseil économique et social d'Ottawa-Carleton Pierre Dadjò
Conseil jeunesse Francophone de la Colombie-Britannique Marie-Eve Levert
Conseil jeunesse provincial de la Nouvelle-Écosse Natalie Aucoin
Conseil jeunesse provincial du Manitoba Roxanne Dupuis
Conseil scolaire Acadien provincial Darrell J. Samson
Conseil scolaire du sud de l'Alberta Anne-Marie Boucher
Consortium national de formation en santé Gilles Patry
Dialogue Nouveau-Brunswick Odette Snow
Direction Ontario Donald Obonsawin
Division scolaire Franco-Manitoba Bernard Lesage
English Speaking Catholic Council Martin Murphy
Équipe d'alphabétisation de la Nouvelle-Écosse Ghislaine d'Eon
EssentiElles Louise-Hélène Villeneuve
Evaluation Plus Inc Wally Lazaruk

Fédération acadienne de la Nouvelle-Écosse Peter Boudreau
Fédération acadienne de la Nouvelle-Écosse Jean Léger
Fédération canadienne des enseignantes et des enseignants/Canadian Teachers' Federation Paul Taillefer
Fédération culturelle acadienne Ronald Bourgeois
Fédération culturelle canadienne-française Raymonde Boulay Leblanc
Fédération de la jeunesse canadienne-française Karlynn Grenier
Fédération des aînés et aînées Francophones du Canada Willie Lirette
Fédération des aînés et des retraités Francophones de l'Ontario Marc Ryan
Fédération des aînés Franco-Albertains Germaine Lehodey
Fédération des associations de juristes d'expression française de common law Louise Aucoin
Fédération des caisses populaires acadiennes René Legacy
Fédération des communautés Francophones et acadienne du Canada Lise Routhier-Boudreau
Fédération des femmes acadiennes de la Nouvelle-Écosse Marie-Claude Rioux
Fédération des Francophones de la Colombie-Britannique Stéphane Audet
Fédération des Francophones de Terre-Neuve et du Labrador Jules Custodio
Fédération des Francophones de Terre-Neuve et du Labrador Cyrilda Poirier
Fédération des jeunes Francophones du Nouveau-Brunswick Véronique Mallet
Fédération des parents acadiens de la Nouvelle-Écosse Ronald Robichaud
Fédération des parents Francophones de Colombie-Britannique Marc Gignac
Fédération des parents Francophones de l'Alberta Corinne Arabeyre
Fédérations des parents Francophones de Terre-Neuve Sophie Thibodeau
Fédération franco-ténoise Fernand Denault

Fédération franco-ténoise Léo-Paul Provencher
Fédération nationale des conseils scolaires Francophones Ernest Thibodeau
Francophonie jeunesse de l'Alberta Rhéal Poirier
Greater Montreal Community Development Initiative Dennis Smith
Greater Montreal Community Development Initiative Don Taylor
Institut canadien de recherche sur les minorités linguistiques (Université de Moncton) Daniel Bourgeois
Institut canadien de recherche sur les minorités linguistiques (Université de Moncton) Joseph Dicks
Institut canadien de recherche sur les minorités linguistiques (Université de Moncton) Eric Forgues
Institut canadien de recherche sur les minorités linguistiques (Université de Moncton) Rodrigue Landry
Institut des langues officielles et du bilinguisme / The Official Languages and Bilingualism Institute Richard Clément
Institut Français (University of Regina) Dominique Sarny
La Passerelle IDE Léonie Tchatat
LEARN Quebec Michael Canuel
Le Franco Etienne Alary
Le Rocc Inc. Serge Mercier
Leslie Harris Center for Regional Policy and Development (Memorial University) Michael Clair
Mouvement acadien des Communautés en santé du Nouveau-Brunswick Barbara Losier
Neighbours Regional Association of Rouyn-Noranda Mitch Larivière
Public Service Labour Relations Board Casper Bloom
Quebec Anglophone Heritage Network Kevin O'Donnell

Quebec Association for Adult Learning Mario Pasteris
Quebec Community Groups Network Sylvia Martin-Laforge
Quebec Community Groups Network and Voice of English Speaking Quebec Bob Donnelly
Quebec Community Newspapers Association Heather Dickson
Quebec Drama Federation Mathieu Perron
Quebec English School Board Association David Birnbaum
Quebec Learners Network Peter MacGibbon
Radio-Halifax-Métro pour l'ARCA Marc Lalonde
Regional Association of West Quebeckers Noel Gates
Regroupement artistique Francophone de l'Alberta Carole Saint-Cyr
Regroupement des aînées et aînés de la Nouvelle-Écosse Erina Termine
Réseau de concertation Alain Dobi
Réseau de développement économique et d'employabilité Canada Aubrey Cormier
Réseau de développement économique et d'employabilité Canada Gilles Croze
Réseau de développement économique et d'employabilité (Nouvelle-Écosse) Yvon Samson
Réseau de développement économique et d'employabilité (Ontario) Nicole Sauvé
Réseau des Cégeps et des Collèges Francophones du Canada Yves Chouinard
Réseau-Femmes Colombie-Britannique France-Emmanuelle Joly
Réseau santé albertain Luc Thérien
Second Language Research Institute / Centre de recherche en langues secondes Joseph Dicks
Société de développement économique de la Colombie-Britannique Donald Cyr
Société des Acadiens et Acadiennes du Nouveau-Brunswick Ghislaine Foulem

Société des Acadiens et Acadiennes du Nouveau-Brunswick Marie-Pierre Simard
Société éducative de l'Île-du-Prince-Édouard Claude Blaquière
Société éducative de visites et d'échanges au Canada/ Society for Educational Visits and Exchanges in Canada Alexandra Jobin
Société franco-manitobaine Daniel Boucher
Société maison de la francophonie de Vancouver Pierre Senay
Société nationale de l'Acadie Françoise Enguehard
Société nationale de l'Acadie Lucie LeBouthillier
Société Saint-Thomas-d'Aquin Edmond Richard
Société Saint-Thomas-d'Aquin Lizanne Thorne
Société Santé en français Brian Conway
Society for Educational Visits and Exchanges in Canada/Société éducative de visites et d'échanges au Canada Christine Rapp
Society for the Promotion of the Teaching of English as a Second Language in Quebec / Société pour la promotion de l'enseignement de l'anglais, langue seconde, au Québec Micheline Schinck
Townshippers' Association Rachel Garber
Townshippers' Association Michael van Lierop
Traduction Nouveau-Brunswick Translation Claude Lapointe
Union provinciale de minorités raciales et ethnoculturelles Francophones de l'Ontario Tharcisse Ntakibirora
Université de Moncton (Faculté de droit) Michel Doucet
Université de Moncton (Faculté de droit) Pierre Faucher
Université Sainte-Anne André Roberge
University of Guelph, Department of History Matthew Hayday

Youth Employment Services
Iris Unger

Appendix D: The Legal Framework for Official Languages⁴

The Constitution

The Constitution enshrines our society's most fundamental values. In Canada, our linguistic duality is one such fundamental value, and our Constitution makes English and French the two official languages of our country. The Constitution does not contain any provisions relating to jurisdiction in matters of language. In a decision rendered in 1988, the Supreme Court of Canada affirmed that "language is not an independent matter of legislation but is rather 'ancillary' to the exercise of jurisdiction with respect to some class of subject matter assigned to Parliament or the provincial legislatures by the *Constitution Act, 1867*." (*Devine v. Quebec (Attorney General)*, [1988] 2 S.C.R. 790.) The power to legislate in matters of language therefore belongs to both the federal and provincial levels of government, according to their respective legislative authority.

The *Constitution Act, 1867* contains just one section regarding linguistic matters; section 133, which stipulates that every person has the right to use either English or French in the Parliament of Canada and the Legislature of Quebec. In addition, any person can use either of the two languages in any pleading brought before the federal courts of Canada and the courts of Quebec. Section 133 also requires that all legislation of the Parliament of Canada and the Legislature of Quebec be enacted in both English and French. Section 133 does not officially establish bilingualism *throughout Canada*; rather, it simply makes it possible to use English and French in the Parliament of Canada, the Legislature of Quebec, the courts in the province of Quebec, and the federal courts, while also making it mandatory to enact Quebec's and Canada's legislative texts in both English and French.

The Official Languages Act

In 1969, following the recommendations in the report published by the Royal Commission on Bilingualism and Biculturalism, the Parliament of Canada adopted the first *Official Languages Act* (the Act). This Act recognized English and French as the official languages of all federal institutions in Canada. The Act grants equality of status of French and English not only in the Parliament or before courts, but also throughout the federal administration. The Act states that the public has the right to receive services from federal institutions in certain locations and to appear before federal courts and tribunals in the official language of their choice. The status of both official languages was reinforced by this Act and by the *Canadian Charter of Rights and Freedoms*, in which French and English were recognized as Canada's official languages, enjoying equal status in the Parliament and in the Government of Canada.

In 1982, with the enactment of the *Canadian Charter of Rights and Freedoms*, the notion of bilingualism took on a new scope. Not only were the rights of English-speaking and

⁴ This text was drawn from the second section of the discussion document for the Government's consultation on linguistic duality and official languages.

French-speaking individuals now embedded in the Canadian Constitution, they were no longer limited to the relationships between the Government and its citizens, nor to Parliament but the Charter set out the right to education in the language of the minority. Now everyone has the right to use English and French in the Parliament of Canada; federal laws must be enacted in both languages; everyone has the right to appear before federal courts in either English or French; and the public has the right, under the circumstances set out in the Charter, to be served in English or in French when dealing with federal institutions.

Coming into effect on September 15, 1988, the second *Official Languages Act* (OLA) consolidated the equality of status of English and French within federal institutions and ensured the respect of linguistic rights pertaining to them. It also conferred a legislative basis to certain policies that had been implemented for a number of years in federal institutions, in particular concerning the use of both official languages as working languages within the federal administration. The OLA reflects the significant changes that have taken place in the status and use of the two official languages since the first Act was passed in 1969. The OLA integrates and specifies the rights and linguistic principles that were set out in the *Constitution Act, 1867* and entrenched in the *Canadian Charter of Rights and Freedoms*.

The OLA differs from the 1969 Act in that the most provisions are executory and justiciable; thus, in 1988; sections 4 to 7, sections 10 to 13, Parts IV and V as well as section 91 of the Act were made subject to a court remedy. Moreover, it specifies the role of the key stakeholders involved in implementing the OLA, such as the Treasury Board, Canadian Heritage and the Office of the Commissioner of Official Languages. In this way, the OLA establishes a framework to facilitate the implementation of official languages policies and programs.

The OLA also distinguishes itself by the inclusion of the Government of Canada's commitment to promote English and French. Official language minority communities enthusiastically embraced this new legislation as well as the Canadian Government's promise to facilitate their development and promote linguistic duality.

The OLA has three main purposes, set out at section 2:

- (a) ensure respect for English and French as the official languages of Canada and ensure equality of status and equal rights and privileges as to their use in all federal institutions, in particular with respect to their use in parliamentary proceedings, in legislative and other instruments, in the administration of justice, in communicating with or providing services to the public and in carrying out the work of federal institutions;
- (b) support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society; and
- (c) set out the powers, duties and functions of federal institutions with respect to the official languages of Canada.

Part IV (sections 21 to 33) of the OLA specifies in section 21 that the public has the right to communicate with federal institutions and receive available services in either official language. This right applies to all head or central offices of federal institutions. It also applies to the institution's other offices or facilities in the National Capital Region. Elsewhere in Canada or abroad, this right arises if there is "significant demand" for communications and services in either official language. Section 28 of the OLA sets out the principles of "active offer" which requires federal institutions to take steps to inform the public of their rights regarding communications and services. Under section 32, the Governor in Council may make regulations that prescribe how the duties of federal institutions regarding communications with and services to the public in both official languages are to be discharged.

Part V of the OLA deals with the language of work in federal institutions. Pursuant to section 34, English and French are the languages of work in all federal institutions. Officers and employees of federal institutions have the right to work in their language of choice, in accordance with the conditions set out in this part of the OLA. In designated bilingual regions, officers and employees of federal institutions have the right, in accordance with the corresponding duties imposed on institutions, to use English or French in specified work situations. In the National Capital Region and in prescribed regions, federal institutions must ensure that the work environment is conducive to the effective use of both official languages and that their employees may exercise the right to use either language, subject to the obligations to serve the public and other employees. To create a work environment that is conducive to the effective use of both official languages, federal institutions in those bilingual regions must provide the employees with personal and central services, regularly and commonly used work tools and automated systems in both English and French. Federal institutions must also ensure that supervisors are able to communicate with officers and employees in both official languages and that the management group responsible for the general direction of the institution as a whole has the capacity to function in both official languages.

Part VI of the OLA sets out the Government's commitment to ensure that Canadians, both English-speaking and French-speaking, have equal opportunities to obtain employment and advancement in federal institutions and that the composition of the workforce of federal institutions tends to reflect the presence of both official language communities of Canada.

Part VII of the OLA sets out the Government's commitment towards the development of English and French linguistic minority communities in Canada and the recognition of linguistic duality in Canadian society. According to section 43, the Minister of Canadian Heritage shall take whatever steps he or she considers appropriate to advance the equality of this status and the use of English and French in Canadian society; for example, by encouraging and assisting provincial governments, municipal governments, businesses, organizations and trade unions to promote the use of both official languages.

Under Part VIII, Treasury Board has responsibility for the general direction and coordination of the federal policies and programs relating to the implementation of Parts

IV, V and VI in all federal institutions other than the Senate, the House of Commons and the Library of Parliament.

Amendment of the *Official Languages Act* (Bill S-3)

Bill S-3, *An Act to Amend the Official Languages Act (promotion of English and French)*, received Royal Assent on November 25, 2005. Section 41(2) of Part VII of the OLA now imposes an obligation on federal institutions to take positive measures to implement the federal commitment to promote English and French. The same section repeats the well-established legal principle that the implementation of the federal commitment shall be carried out while respecting the jurisdiction and powers of the provinces. Section 41(3) of Part VII authorizes the Governor in Council to make regulations prescribing the manner in which federal institutions' duties are to be carried out. And finally, section 77 makes Part VII of the OLA executory and enforceable, meaning that the obligations stated in this part of the OLA can be the subject of court remedy.

The responsibilities of the Minister of Canadian Heritage remain unchanged. These are, as stated in sections 42 and 43 of the OLA, to encourage and promote a coordinated approach for the implementation by federal institutions of the commitments set out in section 41 (section 42) and to take such measures as the Minister considers appropriate to advance the equality of the status and the use of English and French in Canadian society (section 43).

The adoption of Bill S-3 constitutes an important stage in the evolution of Canadian official languages policy and in the development of official language minority communities. Federal institutions have long had an obligation to take administrative measures to implement their responsibilities under Part VII of the OLA. As the amended OLA essentially makes the obligation to take positive measures enforceable, federal institutions must now evaluate and reinforce, as the case may be, their work under the Government's current policy framework. Federal institutions need to be well informed of their obligations under the amended OLA and to ensure that their employees are aware of their specific responsibilities as set out in the *Accountability and Coordination Framework for Official Languages*. Official language minority communities can, after filing a complaint with the Commissioner of Official Languages, seek a court remedy if they believe that there has been a breach of the obligations stated in Part VII of the OLA.

The amended OLA authorizes the enactment of regulations regarding federal institutions, prescribing the manner in which any duties under Part VII must be carried out, in particular for the implementation of the federal commitment. The enactment of regulations can only be envisaged as a longer term process because of the complexity of the regulation making process under the OLA. For example, the OLA requires that the Government consult Anglophone and Francophone minorities and, where appropriate, members of the public on proposed regulations which would also have to be laid before the House of Commons.

Reference Documents

Decima Research. *Public Opinion Survey*, Survey conducted for Canadian Heritage, 2006.

Statistics Canada. *Minorities Speak Up: Results of the Survey of the Vitality of Official language Minorities*, 2007.

Fédération des communautés Francophones et acadienne. *Actes du Sommet des communautés francophones et acadiennes*, 2007.

Canadian Heritage. *Guide for Federal Institutions. Official Languages Act: Part VII – Promotion of English and French*, 2007.

Canadian Heritage, Statistics Canada. *New Canadian Perspectives: Languages in Canada 1996 Census*, 1999.

Canadian Heritage, Statistics Canada. *New Canadian Perspectives: Languages in Canada 2001 Census*, 2004.

Government of Canada. *The Next Act: New Momentum for Canada's Linguistic Duality The Action Plan for Official Languages*, 2003.

Government of Canada. *Update on the Implementation of the Action Plan for Official Languages : Midterm Report*, 2005.

Statistics Canada. *The Evolving Linguistic Portrait, 2006 Census*, 2007.

Public Service Human Resources Management Agency of Canada. *Annual Report on Official Languages (2004-2005)*.

Canadian Heritage. *Official Languages Annual Report (2005-2006)*, Volumes 1 and 2.

Sondage CROP - Radio-Canada sur le bilinguisme, 2006.