



Government  
of Canada

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du Canada

# **Government of Canada Consultations on Linguistic Duality and Official Languages**

Minister of Canadian Heritage,  
Status of Women and Official Languages



Ministre du Patrimoine canadien,  
de la Condition féminine et des Langues officielles

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Our two official languages are a pillar of our identity and a considerable advantage for Canada, both now and in the future.

The Government of Canada is committed to promoting French and English in Canadian society and to furthering the development of French and English minority-language communities.

In order to breathe new life into our efforts to strengthen linguistic duality, we will develop a strategy to follow up on the Action Plan, which expires in March 2008. The strategy will be relevant and respond to the needs of Canadians.

In order to do this, we need your ideas and perspectives on the issues surrounding linguistic duality and official-language communities living in minority situations.

Your contribution is vital. It will help us shape our strategy and guide us in our future decisions.

As Minister of Canadian Heritage, Status of Women and Official Languages, I would like to thank all of you who have chosen to help your fellow Canadians by sharing your experience and creativity.

Best wishes for productive reflection and discussion.

A handwritten signature in blue ink that reads "Josée Verner".

Josée Verner

Canada

**TABLE OF CONTENTS**

Introduction

1. Official Languages: Facts and figures
  - Statistics
  - Public opinion
2. Legal Framework
  - The *Constitution*
  - The *Official Languages Act*
  - The 2005 amendment
3. The Federal Government and Official Languages
  - The Main initiatives
  - *Action Plan for Official Languages*
  - Co-operation with the Provinces and Territories
4. Official Languages and Their Place in Tomorrow's Canada
  - Demographic changes
  - The Economy and new technologies
  - Government modernization
5. Discussion questions on three major themes
  - Demographic changes
  - The Economy and new technologies
  - Government modernization

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## INTRODUCTION

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The Government of Canada is holding these consultations to gather the views of Canadians on issues relating to linguistic duality and official languages. 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 for Official Languages*.

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, whether in public institutions, private life, industrial and commercial activities or civil society.

The Government of Canada supports official languages on a daily basis and regularly reports to Parliament on its activities through two documents, the *Canadian Heritage Official Languages Annual Report* ([http://www.pch.gc.ca/progs/lo-ol/pubs/annual\\_reports\\_e.cfm](http://www.pch.gc.ca/progs/lo-ol/pubs/annual_reports_e.cfm)) and the Canada Public Service Agency *Annual Report on Official Languages* ([http://www.psagency-agencefp.gc.ca/reports-rapports/rep-rap-menu\\_e.asp](http://www.psagency-agencefp.gc.ca/reports-rapports/rep-rap-menu_e.asp)).

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 wishes to know what Canadians think about important issues relating to linguistic duality and official-language minority communities. 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., 2007 *Sommet des communautés francophones et acadiennes*), intergovernmental discussion forae (e.g., Council of Ministers of Education, Canada) and the ongoing dialogue between federal, provincial and territorial departments and the official-language communities that they support.

The purpose of this discussion paper is to provide information and an overview of official languages' issues in order to give participants an opportunity to think about and discuss the questions being asked.

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## ***OFFICIAL LANGUAGES FACTS AND FIGURES***

### **Statistics**

According to 2001 Census figures, the two official languages, English and French, are the languages most frequently spoken by a large majority of Canadians; 86 percent speak English and 31 percent speak French, and 9 out of 10 Canadians speak English or French at home. In 2001, of a total of 29.6 million Canadians, 17.5 million spoke English as their mother tongue (59.3 percent) and 6.7 million had French (22.7 percent).

Although there are Francophones living in every Canadian province, they are unevenly distributed. Outside Quebec, the number of people with French as a mother tongue reached 980,270, compared with 976,415 in 1991, an increase of 3,855 people. In fact, in 2001, Francophones represented 4.4 percent of the population (down from 4.8 percent in 1991). Canada's Francophones are concentrated mainly in three bordering provinces—Quebec, New Brunswick and Ontario. In fact, the Francophones from these three provinces, 6.5 million of them, make up 96.6 percent of all Francophones in Canada. This means that Quebec alone accounts for 85.8 percent of Francophones; Ontario, for 7.3 percent; and New Brunswick, for 3.5 percent.

Although Anglophones reside in all parts of Quebec, they are distributed unevenly across the province. Anglophones in the Montreal administrative region with more than half a million individuals, form the largest official-language minority community in Canada and count for 62 percent of the total of Quebec Anglophones. Substantial numbers of Anglophones are also found in the Laval (129,000), Montérégie (53,000), Outaouais (54,000), Laurentides (31,000) and Estrie (23,000) regions. The demographic size and population share of the Anglophone group in Quebec has declined in every census period since the 1950s.

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 5.2 million, while their proportion within the population rose from 12 percent to roughly 18 percent. In 2001, 13 percent of Canadians could sustain a conversation in French only, 68 percent in English only, and almost 18 percent in both official languages (for individuals identifying themselves as bilingual). About 5,321,500 (17.7 percent) respondents indicated that they were bilingual, an increase from 4,441,300 (17 percent) in 1996, with 43 percent of those individuals being Francophone and 9 percent being Anglophone. The figure below presents bilingualism rates and how they were distributed across Canada in 1996 and 2001.

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

	English-French Bilingualism, Canada, Provinces and Territories, 1996 and 2001		Distribution of the Bilingual (English-French) Population, Canada, Provinces and Territories, 2001	
	% of pop. 1996	% of pop. 2001	% of pop. 1996	% of pop. 2001
Canada	17.0	17.7	100.0	100.0
NL	3.9	4.1	0.4 (Newf. only)	0.4
PEI	11.0	12.0	0.3	0.3
NS	9.3	10.1	1.8	1.7
NB	32.6	34.2	4.9	4.7
QC	37.8	40.8	55.0	55.6
ON	11.6	11.7	25.5	25.2
MB	9.4	9.3	2.1	2.0
SK	5.2	5.1	1.0	0.9
AB	6.7	6.9	3.7	3.9
BC	6.7	7.0	5.1	5.1
Yukon	10.5	10.2	0.1	0.1
NWT <sup>1</sup>	6.3		4.0	0.1
NWT <sup>2</sup>	7.7	8.4		
NV	4.1	3.8		0.0

<sup>1</sup> Including Nunavut

<sup>2</sup> Excluding Nunavut

Sources: 1996 and 2001 Census figures

Data from the 2006 Census and the Post-censal Survey on the Vitality of Official Language Minority Communities will be made public in December 2007. The portrait of Canada's Official Languages will then be updated.

## Public opinion

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

**Figure 1.2: Regional summary of public opinion**

	QC	Maritimes	ON	MB/SK	AB	BC
In favour of bilingual 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 67.0 percent of Canadians believing that the Canadian Government is doing a very good job in preserving both of Canada's official languages. Also 41.0 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 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 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 of 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.

### **Almost 40 years of support**

Following the enactment of the *Official Languages Act* (the Act) in 1969, the Secretary of State, now the Department of Canadian Heritage, was given the responsibility of implementing and applying the Government's decisions on official languages. A number of programs were then created to promote minority language education and to provide support for official-language minority communities. The *Official Languages Act* (OLA) adopted in 1988 provided for the inclusion of intergovernmental cooperation on minority language services and the promotion of linguistic duality. This led to the creation of the official languages support programs. Although the titles and administrative structures of these programs have changed over time, the programs themselves have retained the following key elements: providing support to official-language minority communities and helping promote official languages in Canada as part of cooperative efforts with provincial and territorial governments, minority community organizations and other volunteer organizations dedicated to promoting linguistic duality. Later, the Government 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 Parliamentary Resolution of 1973 made for the first time the Government of Canada responsible for attaining the objective to ensure 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. In addition, following the enactment of the 1988 *Official Languages Act* (OLA), services had to be offered in both official languages, under certain conditions. Therefore, the Treasury Board Secretariat founded advisory committees for the departments and Crown corporations subject to the OLA in order to establish an official-languages consultation and communication mechanism with the key stakeholders. In 1991 the Government adopted the *Official Languages Regulations (Communications with and Services to the Public) Regulations*, 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. This framework encourages the institutions involved to make a special effort to implement the Government's commitments set out under Part VII of the OLA.

### ***The Action Plan for Official Languages***

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. As of 2007, almost 810 million have been invested in the sectors of education, health, immigration, development of official-language minority communities and of the federal public service, including financial aid

for the development of language industries. Ten federal institutions received funds for sectoral programs and activities related to official languages.

The Plan also calls for accountability and coordination measures. The framework described in the *Action Plan* is based on accountability, results and transparency. In adopting this framework, the Government clarified and documented departments' and agencies' responsibilities under each part of the *Act*, strengthened consultation mechanisms with communities and improved coordination of the Government's entire Official Languages Program (OLP). It sought to make the policies and programs more cohesive by encouraging federal institutions to act in a coordinated manner. 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."

At the outset, the *Action Plan* had set targets in the area of education. By 2013, the *Action Plan*, in order to help implement the provisions of the *Canadian Charter of Rights and Freedoms* (section 23), sought to increase to 80 percent the proportion of eligible students enrolled in Francophone minority institutions, and in second-language education (through regular or immersion courses), in order to double the proportion of Canadian youth with a functional knowledge of the other official language. Beyond the classroom, the Government has improved the Official Language Monitor Program and increased summer bursaries for students studying languages.

The *Action Plan* encourages the development of official-language minority communities. Strong communities capable of attracting new members are an asset for Canada. In order to ensure that they continue to contribute to our country's growth, the *Action Plan* provides for measures in the fields of early childhood, health, justice, immigration and economic development. It has also invested in order to support the federal partnership with the provinces and territories and to promote community radio and community leadership.

The Government of Canada cannot play a leadership role unless it leads by example. With the *Action Plan*, it sought to place linguistic duality at the centre of federal institutions' practices. Areas where improvements were sought included delivery of services 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. In 2004, following the approval of the Treasury Board, new official languages policy instruments pertaining to language of work and human resource management came into force. These put an emphasis on the imperative staffing and integrating language training into professional development on a more proactive basis. The following year, the Treasury Board added other instruments pertaining to the language obligations of federal institutions in matters of communications and service to the public.

Announced in 2005, the Enabling Fund for Official Language Minority Communities provides \$36 million over three years to reinforce community capacity in human resource and economic development. For 2006-07, an additional \$10.6 million was earmarked for health services and \$12 million for language training in the federal Public Service.

## Midterm Report

The Action Plan called for timely reporting to Canadians. Accordingly, the Government of Canada pledged to submit a progress report on the *Action Plan for Official Languages* at the midpoint and at the end of the implementation period. The Midterm Report, tabled in Parliament on October 27, 2005, addresses the entire Official Languages Program (OLP), including all of the activities through which the Government of Canada fulfills the obligations and commitments contained in the *Official Languages Act*. It describes the actions of the federal institutions and presents a community perspective of the initial *Action Plan* results. The initiatives of the *Action Plan for Official Languages* are described, as are the investments made by the institutions involved since March 12, 2003. \$187.5 million was spent during the first two years of the Plan.

The OLP's Horizontal Management Framework, unveiled in 2005, is a governance structure that oversees all areas of activity. By monitoring the departments and agencies, this Framework should help determine the overall impact of these activities; it is intended to guide to coordinating federal government actions and assessing their impact on future results in matters concerning official languages.

The Midterm Report discusses the post-censal survey of the official-language minority communities, the results of which are to be made public in December 2007, and describes the significant contribution of research to the compilation of data that will be used in the OLP assessment. Finally, the Report proposes avenues for improving *Action Plan* oversight and the future of the OLP, which are closely related. The communities have suggested that the *Action Plan* be enhanced on a sectoral basis:

- Facilitate the community organizations' participation in horizontal coordination in order to enable them to interact with institutions whose mandates correspond to their interests, make additional observations as required by the Horizontal Management Framework, consult with each other, represent the community overall, and take action on the range of issues that concern them, for example, youth;
- Extend the primary health care component until 2008; improve access to health care in the language of choice in the territories;
- Increase support for Francophone immigration in minority communities to ensure that the related strategic plans are implemented; and,
- Support partnerships with the provinces and territories to carry out the intergovernmental action plan on cooperation, health, early childhood education, cultural development, the Francophone space, justice, and economic development in the communities.

Other potential initiatives suggested by the communities include; addressing the language-industry fragmentation, improving the quality of translation, and developing an interdepartmental strategy on French on the Internet, adapted to the requirements of modern society.

## Cooperation with the provinces and territories

The official languages issue has been the subject of bilateral and multilateral collaboration between the federal, provincial and territorial governments. In matters of minority language

services, intergovernmental collaboration aims to help the provincial and territorial governments offer services in the language of the official language minority.

In matters of education, intergovernmental collaboration aims to help the provincial and territorial governments offer the members of official-language minority communities (Anglophones in Quebec and Francophones outside of Quebec) education in their language, and offer young Canadians the opportunity to learn the other official language.

Collaboration is done through multi-year Protocol for Agreements between the Government of Canada and the Council of Ministers of Education, Canada (CMEC)—a key partner in federal intervention in the area of minority-language education and second-language instruction— and through agreements with the provinces and territories. Contributions are granted through annual or multi-year cost-sharing agreements with each of the provincial or territorial governments for provincial or territorial initiatives; or with either the CMEC or the provinces and territories for interprovincial, inter-territorial, or pan-Canadian projects or for the administration of language learning and development programs. These agreements contain an action plan that describes the planned measures, funding for each of the parties, and the expected outcomes.

From a multilateral perspective, the Ministerial Conference on the Canadian Francophonie (MCCF) is the main forum for intergovernmental collaboration. Established in 1994, the MCCF brings together the provincial and territorial ministers responsible for the Canadian Francophonie, Francophone affairs, Acadian affairs, French-language services or similar matters, and the federal Minister responsible for Official Languages. The MCCF's mandate is to promote intergovernmental cooperation, debate intergovernmental issues that involve the Canadian Francophonie, and sustain dialogue conducive to the development of public policies that strengthen the Canadian linguistic duality. During the September 2007 annual MCCF meeting in Halifax, the ministers endorsed and agreed to proceed with implementation of the report titled *Canadian Francophonie: Issues, Challenges and Future Directions* which summarizes consultations held across the country in the Spring and Summer of 2006.

## **OFFICIAL LANGUAGES AND THEIR PLACE IN THE CANADA OF TOMORROW**

The trends that are presented below were selected following an environmental scan and a literature review of documents from a variety of sources such as Statistics Canada, the Office of the Commissioner of Official Languages, the Fédération des communautés francophones et acadienne, the Ministerial Conference on the Canadian Francophonie, and the Québec Community Groups Network. This analysis brought forward three main trends that will have an impact on Canadian society and official language minority communities.

**Demographic changes:** The theme of demographic changes includes the following sub-themes: urbanization, youth, an aging population and ethnocultural diversity.

The statistics provided below outline trends suggesting that the Canada of tomorrow will be very different from the Canada of yesterday and 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; all this within a context of an increasing cultural and linguistic diversity. The trend among 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 is a greater linguistic and religious diversity, combined with the aging of the population, urbanization and rural out-migration. These new realities will create new identity contexts.

▶ Urbanization:

- In 2006 four out of five Canadians, or 80 percent of the population, lived in an urban centre of 10,000 or more inhabitants. Six census metropolitan areas reported a population of over one million: Toronto, Montreal, Vancouver and Ottawa-Gatineau as well as, for the first time, Calgary and Edmonton. The total population of these six CMAs accounted for 14,110,317 individuals, 45 percent of the total population.<sup>1</sup>
- In 2006 a little under 20 percent of Canadians, approximately 6 million, lived in small towns and rural regions.<sup>2</sup>

▶ Youth:

- In 2001 14 percent of Canada's total population was between 15 and 24 years of age.<sup>3</sup>
- From 1996 to 2001, half of the national population of young people aged 15 to 29 (50.2 percent) moved. Some 5.2 percent of them changed provinces or territories.<sup>4</sup>
- The proportion of young people aged 22 to 24 with postsecondary education, in some shape or form, has increased steadily since 1999, when 62 percent of young people

<sup>1</sup> *The Daily*, March 13, 2007, Statistics Canada, <http://www.statcan.ca/Daily/English/070313/d070313a.htm>.

<sup>2</sup> *Ibid*

<sup>3</sup> 2001 Census, Statistics Canada,

<http://www12.statcan.ca/francais/census01/products/highlight/SAC/Page.cfm?Lang=E&Geo=PR&Code=01&Table=1a&StartRec=1&Sort=2&B1=Age&B2=Counts>

<sup>4</sup> *Ibid*.

- were already enrolled in a postsecondary institution. In 2003 the number reached over three-quarters (76 percent).<sup>5</sup>
- In 1999 the proportion of young graduates from a postsecondary institution was 7 percent, increasing more than six times in 2003 to 44 percent.<sup>6</sup>
- ▶ Aging population:
- By 2025, a little over 20 percent of the population will be 65 years old. Between 2001 and 2006, the number of Canadians aged 65 and over increased by 11.5 percent, while the number of young people 14 years of age and under dropped by 2.5 percent.<sup>7</sup>
  - Seniors are living longer. At the turn of the 20<sup>th</sup> century, the average 65-year-old Canadian could expect to live another 13.3 years. In 2003 this individual could expect to live another 19.2 years.<sup>8</sup>
  - The financial situation of seniors has improved in the past quarter century. From 1980 to 2003, the total average income (after taxes) of senior couples increased by 18 percent, from \$36,300 to \$42,800.<sup>9</sup>
- ▶ Ethnocultural diversity:
- In the 2001 Census, 47 percent of Canadians reported being of an ethnic origin other than Canadian, British or French.
  - In 2001 93 percent of immigrants lived in the census metropolitan areas.<sup>10</sup>
  - In 2001 29 percent of persons aged 65 to 74 and 28 percent of those aged 75 to 84 were immigrants.<sup>11</sup>
- ▶ Linguistic diversity:
- According to the 2001 Census, Canadians speak over 100 languages; English is the mother tongue of 59.1 percent of Canadians, French is the mother tongue of 22.9 percent of Canadians, and 18 percent of Canadians have other languages as their mother-tongue. Outside Quebec, Francophones make up 4.4 percent of the population. The five groups of non-official languages most commonly spoken at home in Canada are Chinese (853,745), Italian (469,485), German (438,080), Punjabi (271,220) and Spanish (245,495). After Chinese, the fastest growing languages in Canada are Punjabi, Arabic and Tagalog (Philippines).<sup>12</sup>

<sup>5</sup> *The Daily*, July 5, 2006, Statistics Canada, <http://www.statcan.ca/Daily/English/060705/d060705a.htm>.

<sup>6</sup> *Ibid.*

<sup>7</sup> *A Portrait of Seniors in Canada*, Statistics Canada, February 27, 2007, <http://www.statcan.ca/english/freepub/89-519-XIE/89-519-XIE2006001.pdf>

<sup>8</sup> *The Daily*, February 27, 2007, Statistics Canada, <http://www.statcan.ca/Daily/English/070227/d070227b.htm>.

<sup>9</sup> *Ibid.*

<sup>10</sup> *A profile of the Canadian population: where we live*, Statistics Canada, March 12, 2002, <http://www.statcan.ca/english/census2001/where/article.pdf>.

<sup>11</sup> *A Portrait of Seniors in Canada*, Statistics Canada, February 27, 2007, <http://www.statcan.ca/english/freepub/89-519-XIE/2006001/immigrant.htm>

<sup>12</sup> *2001 Census: Analysis series, Profile of languages in Canada: English, French and many others*, Statistics Canada, December 10, 2002, <http://www12.statcan.ca/english/census01/products/analytic/companion/lang/pdf/96F0030XIE2001005.pdf>

▶ Interprovincial mobility:

- Between July 1, 2005, and June 30, 2006, Alberta had the highest net influx of people, with a migration rate of 20.3 individuals per 1,000 inhabitants. British Columbia followed far behind, with a net influx of 12.3 people, while Ontario was third with 9.6 people.<sup>13</sup> Alberta is becoming more and more of a magnet for inhabitants from all provinces. During this time, its net demographic growth was 57,105 people through interprovincial migration. This move towards the West increased markedly in two years due to the spreading of Alberta's newly gained prosperity.<sup>14</sup>
- Among language collectivities in Canada, Quebec's Anglophone communities have been most affected by out-migration of community members to other provinces in Canada. As of 2001, 50 percent of Anglophones born in Quebec had moved to other Canadian provinces. This out-migration consists mostly of the younger, better-educated and more employable members of the population. For regional Anglophone communities, this challenge is particularly acute since they are also witnessing net population loss from intra-provincial migration, principally from outlying areas to the Montreal region.

**Economy and new technologies:** The theme of economy and new technologies includes the following sub-themes: innovation and knowledge-based economy.

The data found below suggests that, since the end of the century, Canada is entering a new economic era as our economy has been shifting towards being one that is knowledge-based. In fact, we have noted a number of changes associated with this new economy, particularly the considerable development of the service industry. Canada now has one of the most educated populations in the world, which gives it quite an advantage in terms of the creation, dissemination and use of knowledge. Consequently, Canada's innovation, in addition to making our economy more robust, is a source of recognition of Canadian know-how worldwide. The emergence of new technologies and their dissemination have shattered the industry's traditional practices.

➤ Innovation:

- The Canadian Recording Industry Association indicates that Canada has the highest rate of online file sharing per inhabitant in the Western world.<sup>15</sup>
- Impacts of the rise of the Web:
  - ▶ Social impacts: increased user autonomy, increased participation and increased diversity;
  - ▶ Networking impacts: social networking Websites (e.g., Facebook) increase the opportunities to create social networks and share information between communities with shared interests;
  - ▶ Cultural impacts: different ways of creating and disseminating content and new interactions between creators, users and consumers (e.g. You Tube);

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<sup>13</sup> *The Daily*, September 27, 2007, Statistics Canada, <http://www.statcan.ca/Daily/English/070927/d070927c.htm>.

<sup>14</sup> *The Daily*, April 12, 2007, Statistics Canada, <http://www.statcan.ca/Daily/English/070412/d070412a.htm>.

<sup>15</sup> [www.cria.ca/antipiracy.php](http://www.cria.ca/antipiracy.php)

- ▶ Citizen engagement and politics: democratization of access to media outlets, increased watchdog functions, the rise of citizen journalism (e.g. Ohmy News);
- ▶ Educational and informative impacts: rise of collective intelligence. This tends to be collaborative and encourages sharing and peer-production of content, ideas, opinions and knowledge (e.g. Wikipedia).
- A 2006 report by the Canadian Council of Chief Executives highlighted the need for a creation-driven economy supported by the cultural industry. This type of economy is necessary to encourage innovation and make it more attractive to invest in Canada.<sup>16</sup>

#### Knowledge-based economy:

- Canada is the ninth member country of the OECD: in 2005, 47.5 percent of individuals 18 years of age and over in Canada had a high-speed connection at home.<sup>17</sup>
- A special study conducted by Statistics Canada in 2002 found that employees of knowledge-based undertakings were very satisfied with their jobs, far more than other employees of other sectors.<sup>18</sup>
- Knowledge-based industries continue to settle in or around major urban centres.<sup>19</sup>

**Government modernization:** The theme of government modernization includes the following sub-themes: accountability, client service, performance and results, and public service renewal.

The Government of Canada is involved in an ongoing government modernization process and has adopted specific measures with, in particular, the *Federal Accountability Act* as well as related strategic, non-legislative measures to increase accountability, transparency and monitoring as far as government activities are concerned. To meet this need, the public service must respect the principles of good governance and accountability. Measuring, monitoring and indicating results related to performance is therefore essential to demonstrate the progress made through government actions. These commitments will consider the following realities:

#### ➤ Accountability:

- On December 12, 2006, Parliament adopted the *Federal Accountability Act*, which makes substantial amendments to 45 statutes and amends over 100 others, bans lobbying for five years after leaving the Government, eliminates corporate and union donations, and protects whistleblowers.<sup>20</sup> The *Federal Accountability Action Plan*, which accompanies the Act, sets out specific measures seeking to increase accountability, transparency and monitoring as concerns government activities.

<sup>16</sup> *From Bronze to Gold, A Blueprint for Canadian Leadership in a Transforming World - Ideas and Recommendations of the Canadian Council of Chief Executives*, Canadian Council of Chief Executives, February 21, 2006, [http://www.ceocouncil.ca/en/view/?document\\_id=484&type\\_id=5](http://www.ceocouncil.ca/en/view/?document_id=484&type_id=5).

<sup>17</sup> *S@voir.Stat*, September 2007, Volume 7, Number 4, Institut de la statistique du Québec, [www.stat.gouv.qc.ca/publications/savoir/pdf2007/SavoirSept07.pdf](http://www.stat.gouv.qc.ca/publications/savoir/pdf2007/SavoirSept07.pdf).

<sup>18</sup> *Are knowledge-based jobs better?*, M. Drolet and R. Morissette, Canadian Economic Observer, September 2002, Statistics Canada, <http://www.statcan.ca/english/ads/11-010-XPB/pdf/sep02.pdf>.

<sup>19</sup> [http://www.faa-lfi.gc.ca/index\\_e.asp](http://www.faa-lfi.gc.ca/index_e.asp)

<sup>20</sup> *Federal Accountability Act Becomes Law*, [http://www.tbs-sct.gc.ca/media/nr-cp/2006/1212\\_e.asp#bg1](http://www.tbs-sct.gc.ca/media/nr-cp/2006/1212_e.asp#bg1)

- Client service:
  - On March 31, 2006, federal institutions had 11,973 offices and points of service, 4,033 (33.4 percent) of which were obligated to provide bilingual services to the public.<sup>21</sup>
  - On March 31, 2006, 89 percent of incumbents in bilingual positions serving the public met the language requirements of their position.<sup>22</sup>
  
- Performance and results:
  - The *Official Languages Act* (OLA) requires the Treasury Board President to submit an annual report on the delivery of official-languages programs for parts IV, V and VI.
  - The OLA requires the Heritage Minister to submit an annual report on the delivery of official-languages program for Part VII.
  - Canadian Heritage also coordinates the production of the Horizontal Initiative Template twice a year for the *Action Plan for Official Languages* as part of the Report on Plans and Priorities and Departmental Performance Reports.
  
- Public service renewal:
  - The federal Public Service is Canada's largest employer, with 250,000 employees, is its most visible employer, with 1,600 points of service across the country, and comprises 65,000 Canadian troops, 25,000 reservists and 20,000 RCMP members.<sup>23</sup>
  - More than one half of public servants are over 45 years of age. Retirements are expected to peak around 2013. Generations X (born between 1967 and 1976) and Y (born between 1977 and 1986) make up 31 percent of the Public Service.<sup>24</sup>
  - It is important that Canada maintain a professional and vibrant federal Public Service. In his fourteenth report the Clerk of the Privy Council established priorities and defined goals over the next five years. These priorities include better human resources planning, more effective recruitment, more targeted employee development, and establishing the infrastructure to support ongoing renewal.<sup>25</sup>

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<sup>21</sup> *Annual Report on Official Languages – 2005-06*, Public Service Human Resources Management Agency of Canada, [www.psagency-agencefp.gc.ca/reports-rapports/ol-lo/dwnld/arol-ralo05-06\\_e.pdf](http://www.psagency-agencefp.gc.ca/reports-rapports/ol-lo/dwnld/arol-ralo05-06_e.pdf).

<sup>22</sup> Fourteenth Annual Report to the Prime Minister on the Public Service of Canada and The First Report by the Prime Minister's Advisory Committee on the Public Service, [www.pco-bcp.gc.ca/docs/InformationResources/Publications/14report2007/14th\\_annual\\_report\\_e.pdf](http://www.pco-bcp.gc.ca/docs/InformationResources/Publications/14report2007/14th_annual_report_e.pdf)

<sup>23</sup> *Ibid.*

<sup>24</sup> Speech by Nicole Jauvin, President, CPSA, "Demographic Challenges Facing the Federal Public Sector," delivered to the Standing Committee on Government Operations and Estimates, House of Commons, Parliament of Canada, April 17, 2007, [http://www.psagency-agencefp.gc.ca/media/nj-20070417\\_e.asp#2](http://www.psagency-agencefp.gc.ca/media/nj-20070417_e.asp#2)

<sup>25</sup> Op.cit. Fourteenth Annual Report, [www.pco-bcp.gc.ca/docs/InformationResources/Publications/14report2007/14th\\_annual\\_report\\_e.pdf](http://www.pco-bcp.gc.ca/docs/InformationResources/Publications/14report2007/14th_annual_report_e.pdf)

## ***DISCUSSION QUESTIONS***

**This section outlines the questions on 3 major themes:**

- **Demographic Changes**
- **The Economy and New Technologies**
- **Government modernization**

### **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 outmigration, 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 change, 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?**



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