

MEDIA BRIEFING NOTE

FCFA Bill Proposal for the Modernization of the Official Languages Act

Why does the FCFA believe that modernizing the Official Languages Act is necessary?

In the half-century since it first became law, the *Official Languages Act* was never fully implemented. Decade after decade, every succeeding Commissioner of Official Languages has underlined the same failings, lack of coordination within the federal government and often blatant disregard for the Act from some federal institutions. In the last decade, things have worsened to the point that words like “stagnation,” “decline” and “plateau” have entered the Commissioner’s reports.

In concrete terms, what this translates to is decades of frustration for Canadians unable to get services in the official language of their choice at the airport or at their Service Canada office, public servants unable to work in French where the law gives them a right to, and official language minority communities disregarded by federal institutions despite the government’s commitment, spelled out in the Act, to support the development of these communities.

And as the *Official Languages Act* offers precious little in terms of redress, complaints to the Commissioner usually result in his issuing recommendations to federal institutions at fault – and too often, those federal institutions simply disregard these recommendations. Canadians would never accept these kinds of failings in the implementation of other acts.

After 50 years of endemic problems with coordination, accountability and meeting basic requirements, it’s impossible not to conclude that the issue is structural and that the *Official Languages Act* as currently designed is the main obstacle to its own implementation.

Why is modernizing the Official Languages Act an urgent matter?

This year marks the 50th anniversary of the first *Official Languages Act*, passed by Parliament in 1969. A second version of the Act – the current one – was signed into law in 1988.

As Canada marks this 50th anniversary, there is renewed hostility and opposition to linguistic duality. Decades of progress in terms of official languages are being threatened in various regions of the country, as recent events in Ontario and New Brunswick have shown. In addition, there are indications that linguistic duality has reached a plateau, with the percentage of bilingual Canadians stagnating. There is an urgent need to strongly reassert the legitimacy of French as an official language of Canada and the importance of linguistic duality as a core Canadian value.

There is also a strong need to give linguistic duality new momentum. This is especially true in a context where French is set to become the second or third most spoken language worldwide, with some 715 million speakers by 2050. In other words, acting now to strengthen French as one of Canada's two official languages is in our country's economic interest.

How was this bill proposal prepared?

In the fall of 2017, the FCFA launched a vast consultation process with its 18 member organizations, as well as several other Francophone organizations across the country. This led us to identify the four overarching areas where changes to the *Official Languages Act* were needed. The next step was to consign all this in a brief that was presented to the Senate Committee on Official Languages in the spring of 2018. Afterwards, the FCFA hired a team of legal experts to review the *Official Languages Act* line by line and prepare a bill proposal taking into account the changes we wanted to see.

This process also included consultation with government policy experts to assess and validate the feasibility of some changes: for example, broadening the role of the Treasury Board in terms of governance and supervision.

Of course, all this requires resources, and we are proud to say that this bill proposal is the result of a vast joint effort by several Francophone organizations that contributed to a fund to make it a reality. Thanks to the commitment of these organizations, we are able to offer a complete and thorough proposal which gives the government everything it needs to carry out the modernization of the *Official Languages Act*.

What are the FCFA's expectations on how this bill will be received by Parliament?

The FCFA has been talking to members of Parliament and senators about this bill proposal for months now. Several of them have told us that they were looking forward to having this document because it would provide them with more content and arguments to carry the modernization project forward.

We are pleased to say that all three major parties have committed in some way, shape or form to modernizing the *Official Languages Act*. The Prime Minister reiterated his commitment in that regard during our meeting with him on February 15, and Conservative Official Languages critic Alupa Clarke reiterated his party's commitment on Twitter a few weeks back. We also obtained a similar commitment in meetings with NDP leader Jagmeet Singh and NDP Official Languages critic François Choquette.

This document is complete and thorough enough to be introduced, as is, as a government bill in the House. We would be very pleased with that outcome. Barring that we expect this bill proposal, which represents the first concrete expression of what a modernized Act should look like, to be used in parliamentary debate on the issue, in Minister Joly's consultations in the coming months, and of course in the party platforms. We would expect the parties to commit to introduce this bill in the first year of the next Parliament.

The government recently introduced a bill to protect Indigenous languages. Is there potentially a conflict between that bill and the modernization of the Official Languages Act?

The FCFA doesn't see any conflict. Protecting and enhancing Canada's Indigenous languages is one of the key recommendations of the Truth and Reconciliation Commission, and we fully subscribe to this objective. We believe that having a law in place to ensure protection and preservation of Indigenous languages AND a modernized and respected *Official Languages Act* would truly show Canada to be a country concerned with equity, justice and respect for all its founding people.