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## Standing Committee on Official Languages

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**Tuesday, December 11, 2007**

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**Chair**

**Mr. Steven Blaney**

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## Standing Committee on Official Languages

Tuesday, December 11, 2007

• (0935)

[*Translation*]

**The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)):** Once again, welcome to this beautiful room.

We will now begin the public part of today's meeting and I would like to ask Mr. Bélanger to discuss his motion, which reads as follows:

[*English*]

That the members of the Standing Committee on Official Languages be invited to participate in the consultations on linguistic duality and official languages plan for January, 2008.

Monsieur Bélanger.

[*Translation*]

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Thank you, Mr. Chairman.

I understand that the government as well as some of my colleagues may be somewhat reluctant to support this motion, but I would like to take two or three minutes to explain why I am bringing it forward.

First, we are discussing the renewal of the Action Plan for Official Languages, an exercise that will be headed by Mr. Lord—and some may feel that this appointment was rather hasty, something that I might agree with—on behalf of the government. Nevertheless, it will be going ahead. I am somewhat concerned because these consultations are being held in camera. I believe that committee members who wish to do so should be able to take part in the session that is scheduled to be held sometime in January. I don't have the dates. I imagine that representatives from various national organizations will be invited to attend the meeting.

Secondly, at the time the government had undertaken, as part of the action plan, to provide for two consultation rounds annually, one in the spring in order to allow officials to meet with representatives of the relevant organizations, and another in the fall, not only with the Minister responsible for Official Languages, but with a selection of ministers. On two occasions, when I was the Minister responsible for Official Languages, these consultations were held in the spring and in the fall, and each time, a good dozen ministers were in attendance, namely, those who were the most concerned with certain issues or the ministers with whom community groups wished to meet.

Thirdly, whenever I organized these government consultations, I gladly made it a point to invite the opposition party critics. I remember that some members of this committee, two of them in fact,

did attend. What is great about these meetings is that they allow members to better relate to the communities and provide them with an understanding of the communities' concerns.

I don't remember anyone ever criticizing the fact that opposition party representatives with concerns about linguistic duality and our communities were able to take part in these meetings. The list of attendees was quite varied, and there was an added benefit with the participation of opposition members.

That is why, in planning the future work of the committee, I thought it might be useful to allow members who wish to do so to take part in the session that will be held sometime in January 2008.

**The Chair:** Thank you, Mr. Bélanger.

I am prepared to entertain comments on this motion.

Mr. Nadeau.

**Mr. Richard Nadeau (Gatineau, BQ):** Mr. Chairman, I understand the rationale behind Mr. Bélanger's proposal. However, our attendance at the ad hoc meeting, when we don't necessarily believe in the process, would likely appear to be an endorsement. For that reason, the Bloc Québécois will be voting against the motion. We simply don't see what this ad hoc committee will accomplish. On the other hand, here, we will have not secret, but public, enlightened and transparent meetings which will be attended by witnesses who wish to openly discuss the second Official Languages.

**The Chair:** Thank you.

Mr. Godin.

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

I would also like to say a few words. I will not be supporting the motion. It has nothing to do with Mr. Bélanger. This is how I see the situation. The government has shown no respect for this committee. After all of the studies that we have done and all of the data that minority communities in Canada have provided, the government—and I call it the “new” government, even if it has been in office for two years now — appointed someone from New Brunswick.

Even though I have a great deal of respect for Mr. Lord, in my opinion, the Francophonie lost a great deal of ground in New Brunswick when he was the Premier. I have no intention of asking him to help me or the francophone communities. I think that appointing a former premier with a specific agenda to meet with communities behind closed doors is an insult to Canadians and to the Francophonie.

From the very outset of these meetings, I have been in touch with some members of francophone communities. At each meeting, they ask me about the Court Challenges Program. The content of these meetings chaired by Mr. Lord will not be made public. The Prime Minister gave Mr. Lord a specific mandate. It isn't a commission or a committee: it is simply an individual criss-crossing the country. I don't think that carries very much weight.

If there is a motion that I would be prepared to support, it would be to ask Mr. Lord to appear before parliamentarians who have been elected by the Canadian people. He could appear before us. Then, we could ask him about the meetings that he has held and the reasons why he was appointed. I would be prepared to ask him to appear before the committee under those conditions. We must not forget that we have been elected, whereas he has been appointed by the Prime Minister. I have spoken to representatives of groups who have stated publicly that they would agree to meet with Mr. Lord, and that it was a good thing. They knew that if they were to say the opposite, the government would come down hard on them. They are somewhat reluctant to attend these meetings. I am not prepared to lower myself to that level.

Thank you.

● (0940)

**The Chair:** Thank you, Mr. Godin.

Are there any other comments on this motion?

If the committee is in agreement, we will proceed to the vote. I will re-read the motion:

That the members of the Standing Committee on Official Languages be invited to participate in the Consultations on Linguistic Duality and Official Languages planned for January, 2008.

(The motion is defeated).

**The Chair:** Mr. Godin.

**Mr. Yvon Godin:** I would like to raise a point. I am thinking of presenting a motion at the next meeting.

I have been a member of the official languages committee since 1999. Until now, whenever a meeting with the minister was scheduled, the clerk and the members of the committee made an effort to reserve a room with equipment that would allow the meeting to be televised. That was always our custom here in Parliament. To our great surprise, we are scheduled to meet in room 253, which has the television cameras. I will be the first one to admit that we should have clearly indicated that the meeting would not be televised, but in the past, we always ensured that the meetings would be broadcast.

Let me tell you what happened to me that morning. Usually, when the proceedings are not televised, the cameras are against the wall...

**Mr. Luc Harvey (Louis-Hébert, CPC):** Point of order. I'd like to return to today's agenda and discuss the work that we have to do. I believe we have strayed from the subject at hand. Mr. Godin's difficulties with televised or non-televised meetings are not my problem. I am interested in what we are going to be doing.

**The Chair:** Thank you, Mr. Harvey. I believe that is a point of debate.

I will recap for the benefit of committee members. We have covered all of the points on today's agenda. The next step involves future work, and exchanges. I would like to ask Mr. Godin to finish his comment.

Mr. Godin.

**Mr. Yvon Godin:** I read the agenda and I thought the time had come to make comments. I don't want to get ahead of the agenda, but I thought we were at other business.

That morning, when the minister appeared, we were in a room where broadcasting was available. Parliament has always wanted committee meetings to be as transparent as possible. I'm not blaming anyone, but if we don't set out clear rules now, we will be lost in that shuffle.

For example, being in a room with cameras and not televising the meeting was totally unacceptable. We have one chance in a thousand to have that type of room with everything that is happening in the House. We had the room, but the cameras were not turned on. That means that we are not providing transparency for the Canadian people.

I am advising the committee that at the next meeting I will be tabling a motion so that when a minister, the Official Languages Commissioner, or an important public figure appears before the committee, it will not be considered part of the committee's regular agenda. We took great pains to ensure that we would be in a room where broadcasting would be possible. If we are in a committee room that makes it possible for the meeting to be broadcast, then that is what should be done.

**The Chair:** Thank you, Mr. Godin, for sharing your point of view with us.

Mr. Petit.

**Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC):** I would like to add something to what Mr. Godin has said. He is indeed correct, but there is no need for him to table a motion. The rules provide for televised meetings whenever a minister appears as a witness, at least in all of the cases with which I am familiar. There are two or three meeting rooms with cameras.

I am in total agreement with Mr. Godin. It should have been televised. I agree with him, but do we really need a motion for that? Surely our clerks are clever enough to deal with this problem?

● (0945)

**The Chair:** I will ask the clerk for clarification.

The clerk informs me that this is an unwritten practice, and that at the last meeting, committee members did not necessarily express a preference.

I think that a motion could perhaps clarify things, so that...

**Mr. Yvon Godin:** Mr. Chairman, I would like a clarification. We are discussing future business. Would a motion be in order now? Must I give a 48-hour notice? We are discussing future business and we could deal with this now.

**The Chair:** Precisely. Mr. Godin, if you were to move a motion this morning, it would be in order. We could discuss it.

**Mr. Yvon Godin:** This is what I had in mind: when a minister or the Official Languages Commissioner is scheduled to appear before the committee, or even when our work deals with certain files, whenever possible, the clerk should reserve a meeting room with television cameras so that the meeting can be televised.

I'm not sure if that is the correct wording.

**The Chair:** What you are saying is that if the minister or the Commissioner of Official Languages is called to appear before the committee, the meeting will be televised.

Is that it?

**Mr. Yvon Godin:** Yes.

**The Chair:** Whenever...

**Mr. Luc Harvey:** Whenever possible.

**The Chair:** Whenever possible. That is what you said.

Are there any questions or comments on Mr. Godin's motion?

**Mr. Yvon Godin:** I would also like to include any subjects of particular interest.

**The Chair:** And subjects of a particular interest.

In that case, Mr. Godin, just to clarify, would you like...

**Mr. Yvon Godin:** I think that...

**The Chair:** That includes all subject matter. We must be clear.

**Mr. Yvon Godin:** I am flexible on that point. I think that the committee members will see who the witnesses will be for Thursday or for the following Tuesday. So we could decide that we would like to meet in a room that provides for television broadcasting. However, if a minister or the Commissioner for Official Languages is to appear, then there is no reason not to be in a room with television cameras, and that should be automatic.

The icing on the cake was the fact that the cameras were pointed at us but we were not rolling. That is hard to take.

**The Chair:** Do you want to include "and other subject matter" in your motion?

**Mr. Yvon Godin:** I withdraw "and other subject matter".

**The Chair:** The motion, then, deals with a minister and the Commissioner of Official Languages.

Are there any questions or comments? We will now vote.

All of those in favour of the motion?

(The motion carries. [See the *Minutes of Proceedings*])

**The Chair:** We should not find ourselves in the same situation that occurred during the last meeting.

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Let's call the minister back.

**The Chair:** Mr. Chong.

**Hon. Michael Chong (Wellington—Halton Hills, CPC):** Mr. Chairman, have you asked the government for a response to our report on the Court Challenges Program?

[English]

If not, could you ask the government to table a departmental response to the report on the court challenges program?

[Translation]

**The Chair:** Mr. Chong, if the committee wishes to have a response from the government, then it should make that request. If that is what you would like, then you can move a motion to that effect.

**Mr. Daniel Petit:** You can request it.

● (0950)

[English]

**Hon. Michael Chong:** Well, I move that the committee ask the department responsible to table a response to this committee's report.

[Translation]

**The Chair:** Thank you, Mr. Chong.

I am prepared to hear comments and suggestions on Mr. Chong's motion.

Mr. Godin.

**Mr. Yvon Godin:** Could you please repeat what was requested?

**The Chair:** Yes. Mr. Chong moves that the government table a response to the report on the Court Challenges Program.

**Mr. Yvon Godin:** Yes, absolutely. The government must adopt the report before providing a response. That is usually how it is done.

**The Chair:** That is correct. The committee must request it.

**Mr. Daniel Petit:** When must the government respond?

**Mr. Yvon Godin:** Can someone tell me how we usually proceed? We table the report in the House of Commons. Is that correct?

**The Chair:** Mr. Chong.

[English]

**Hon. Michael Chong:** We're asking the executive branch of government to respond to a report from the legislative branch of government. It's normal.

[Translation]

**The Chair:** If the committee requests it, the report includes a request for a government response. Before Mr. Chong made his suggestion, the request was not in our report. Mr. Chong is asking the government to respond.

If there are no other questions or comments, I will reread the motion.

[English]

Mr. Chong is proposing that the government respond to the committee report on the court challenges program.

Who is in favour of the motion?

[Translation]

**Mr. Richard Nadeau:** Mr. Chairman, before we vote...

**The Chair:** Is this a point of order?

**Mr. Richard Nadeau:** I am asking for clarification.

**The Chair:** Then it is a point of order.

**Mr. Richard Nadeau:** If the motion is adopted, I believe the government, if I am not mistaken, will have 120 days to respond.

**The Chair:** Yes.

**Mr. Richard Nadeau:** If the government has 120 days to respond, does that mean that the report cannot be adopted in the House of Commons before the government's response?

**The Chair:** As soon as the report is tabled, the government has 120 days to respond.

Ms. Folco.

**Ms. Raymonde Folco (Laval—Les Îles, Lib.):** I may be mistaken, Mr. Chairman, but, at various times, I have been a committee chair. As I understand it, unless a request is made for a government response when the report is tabled in the House, the government is not compelled to respond within a specific timeframe. It may, or it may not do so.

However, if we add Mr. Chong's wording asking the government to respond, then the government must respect the prescribed timeframe. That has no bearing on the tabling of the report or on anything else.

It is as clear and as simple as that.

**The Chair:** Does that answer your question, which I considered to be a point of order, Mr. Nadeau?

**Mr. Richard Nadeau:** It's fine, Mr. Blaney.

**The Chair:** Are there any comments before we vote?

Mr. Rodriguez.

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** I would simply like to move a short amendment: that the government respond within 90 days after the tabling of the report.

**The Chair:** Usually...

**Mr. Luc Harvey:** According to the standing orders, it is 120 days.

**The Chair:** We are discussing Mr. Chong's motion, please.

By default, the motion requires the government to respond within 120 days. If we want a different deadline, then we will need an amendment.

**Mr. Luc Harvey:** The House will be adjourning for exactly 40 days. That is already...

**Ms. Raymonde Folco:** It seems to me that 120 days is more than enough time.

Could we vote?

Mr. Bélanger has something to say.

● (0955)

**The Chair:** Okay.

**Hon. Mauril Bélanger:** Mr. Chairman, I believe it might be useful for committee members to be aware of another provision of the standing orders that states that if a committee requests a response, there can be no motion for concurrence by the House. Perhaps one should think twice before moving a resolution for concurrence.

Mr. Chairman, may I suggest that we take a two- or three-minute break in order to proceed with the required consultations?

**The Chair:** Mr. Bélanger, Standing Order 109 deals with Mr. Chong's motion. Here is what it says:

109. Within 120 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto, and when such a response has been requested, no motion for the concurrence of the report may be proposed until the comprehensive response has been tabled or the expiration of the said period of 120 days.

A request has been made to suspend the sitting; we will therefore suspend for two minutes.

[English]

**The Chair:** Welcome back.

[Translation]

In his motion, Mr. Chong is asking the government to respond.

Are there any questions or comments on the motion? If there are no comments, we will proceed to the taking of the vote.

Agreed, then let us proceed to the taking of the vote.

(The motion is defeated)

**The Chair:** Mr. Harvey.

**Mr. Luc Harvey:** I would like it to be clearly indicated that the Standing Committee on Official Languages is not asking the government to respond to the report on the Court Challenges Program.

If we don't want a response, then we will vote against having a response.

**The Chair:** Mr. Harvey, this is an open meeting, and all of our decisions are public.

Thank you for sharing your opinion with us, Mr. Harvey.

**Mr. Luc Harvey:** I am tabling my motion.

**The Chair:** Oh, it was a motion?

● (1000)

**Mr. Luc Harvey:** Yes.

**The Chair:** Okay. Could you re-word it?

**Mr. Luc Harvey:** I move that the Committee on Official Languages does not wish to receive a response from the government.

Earlier, we wanted a response. The opposition voted against it, so we are asking that a response not be given.

**The Chair:** Mr. Harvey, that is implied in the decision that we have just made.

**Mr. Luc Harvey:** I don't understand.

**The Chair:** The committee voted against a request for a response. It defeated the motion that requested the response. We can therefore conclude that it was the will of the committee.

**Mr. Luc Harvey:** But I want the report to clearly indicate that we are not requesting a response.

**The Chair:** Mr. Harvey, if we want a response, the request must be included in the report. The request will not be included. So that means that the committee is not asking for a response.

**Mr. Luc Harvey:** I would like it to be clearly stated that the committee does not wish to receive a response from the government.

**The Chair:** Your motion is unusual but nevertheless in order because we are still debating. It will therefore be possible to make that change.

**Mr. Yvon Godin:** The report has already been concurred in.

**The Chair:** Just a minute, please.

Mr. Harvey is moving that we state in the report that the committee does not wish to receive a response from the government.

**Mr. Yvon Godin:** Point of order, Mr. Chairman.

**The Chair:** I will hear from Messrs. Bélanger, Godin and Rodriguez.

**Hon. Mauril Bélanger:** Thank you, Mr. Chairman.

First of all, what Mr. Harvey said is wrong. The committee did not ask the government not to respond: it did not ask for a response. If Mr. Harvey wants to play that type of game, then we could certainly move an amendment to his motion to say that if the government wishes to respond, it is welcome to do so.

I have had just about enough of these procedural shenanigans. A report has been adopted, and we did not request a response. We did not ask the government not to respond. We have to be very careful; they are not one and the same.

Moreover, I don't think that the motion is in order.

**The Chair:** I am looking into that, since I am going to have to rule on it. I will allow the other members on my list to speak.

I would simply like to remind Mr. Harvey that the report has been concurred in.

**Mr. Luc Harvey:** When we voted, earlier, to have a report, it had already been adopted?

**The Chair:** I would simply like to remind all committee members that the report has been concurred in and that the committee has decided that it would not ask the government to respond.

We will hear the speakers in the following order, beginning with Mr. Godin, then Mr. Rodriguez, and Mr. Petit.

**Mr. Yvon Godin:** Mr. Chairman, I say that the motion is out of order because we have already adopted the report. We can't introduce a motion stating that the committee does not wish to receive a response from the minister after the fact. The report has already been concurred in. That's the end of it.

Then, we have to decide if we want a response...

**The Chair:** We will continue to hear from honourable members, after which we will suspend the sitting for a few minutes, if necessary.

Mr. Rodriguez had expressed the need to...

**Mr. Yvon Godin:** I have not finished yet, Mr. Chairman. I was speaking while you were having your little side meeting.

I think it is quite simple. Members should be familiar with procedure. According to the standing orders, if we don't ask the government to respond to the report, that will in no way affect the business of the House, which can then vote on whether or not the report will be concurred in.

We won't let the Conservative government put one over on us this morning. We must simply state that we do not wish to have a response. As Mr. Bélanger clearly said, the government is free to respond to the report if it wishes to do so. But there will be no interference with the standing orders so that Parliament can vote on the report on the Court Challenges Program. A motion has already been introduced. It is clear, it states that we are not asking for a response from the government. We have voted on it. Therefore, the matter is closed.

Thank you, Mr. Chairman.

**The Chair:** Mr. Godin, this amounts to saying that we would be somehow voting on a proposal that is contrary to the motion which the committee just...

**Mr. Yvon Godin:** Yes.

**The Chair:** Mr. Rodriguez and Mr. Petit said that they want to speak. The Chair will make a decision afterward.

Is this a point of order?

**Mr. Luc Harvey:** Someone has a BlackBerry, and the microphone is constantly picking up the noise.

●(1005)

**The Chair:** Please keep the BlackBerry away from the sound system.

Mr. Rodriguez.

**Mr. Pablo Rodriguez:** Mr. Chairman, beside my colleagues most eloquent arguments, we must note that Mr. Harvey made a false statement. The motion is based on false premises. I know that the word "lying" is not allowed in this place, but he made a false statement. According to him, the committee is asking the government not to table a report. However, the committee never said that. It simply did not request a report. That is not the same. Do you understand the nuance?

**A member:** I do not understand it.

**Mr. Pablo Rodriguez:** The committee did not ask the government to table a report, but it never said that it did not want the government to present one. This is a basic nuance. To uphold the contrary will almost amount to lying, even if I cannot use this term.

**Mr. Raymond Gravel (Repentigny, BQ):** Nevertheless, it is a very subtle nuance.

**Mr. Pablo Rodriguez:** No, it is not. There is a basic difference. It is based on false premises. It is not true.

**The Chair:** Thank you, Mr. Rodriguez.

Mr. Petit, do you have any comments about this? Afterward, we will break for a few minutes.

**Mr. Daniel Petit:** I would simply like to clarify this point. Perhaps you can do it during the break.

As the Chair, you quoted section 109, which states the following:

109. within 120 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto, and when such a response has been requested, no motion for the concurrence in the report may be proposed [...]

Did we not adopt the report earlier? Do we have to speak before the House? I want to know whether the 120 day timeline applies to the committee or to Parliament. I would like a clarification. I do not understand why Mr. Godin, who has been here since 1999, is incapable of advising us. He sat on many committees. I am trying to follow him, but I cannot. If he is confused, imagine how confused we must be, as we have been sitting only for a few years. He is a full member of the committee, he should help us.

**The Chair:** Your question is relevant, sir.

**Mr. Daniel Petit:** We are just part-time members, that is all.

**The Chair:** Your question is relevant, Mr. Petit. I will ask the clerk to clarify this point for the committee.

**The Clerk of the Committee (Mr. Graeme Truelove):** If the committee wants a response from the government, it means that the report cannot be adopted by the House before the expiration of the 120 day period. However, this does not mean that the committee cannot adopt it, because it is already done.

Was that your question? Perhaps I did not understand it properly.

**Mr. Daniel Petit:** Do the words “no motion” apply to us, or to Parliament? This is not clear. I just want some clarification.

**The Chair:** Mr. Petit, as I understand it this morning, it means that if the government is asked to respond, the House cannot adopt the report before the government has received its response.

**Ms. Raymonde Folco:** Please tell me the difference between tabling a report and adopting a report. I think that this is the point that Mr. Petit wants clarified.

**Mr. Daniel Petit:** I follow you. It was up to Mr. Godin to tell us that. He has been here since 1999.

**The Chair:** All right.

**Mr. Daniel Petit:** He is just a part of the furniture.

**The Chair:** Let us break for a few minutes.

**Mr. Yvon Godin:** I am sorry, but I told you that. [*Editor's Note: technical difficulty*]

**The Chair:** Did you get your clarification?

• (1010)

**Mr. Daniel Petit:** Yes, it is all right. Mr. Godin, who is our expert and the senior member of our Official Languages committee—he has been here since 1999—explained it to me.

**The Chair:** All right, let us try to carry on with our work. The first motion made this morning, and which the committee rejected, wanted to find out whether the committee agreed to ask for a report.

Let me explain why, in my opinion, the motion is in order. It is in order because it is an addendum to the report. Thus, instead of asking the government for a response, the motion asks the committee to append an addendum stating that it is not asking the government for a response. Therefore, the motion is in order. I am ready to hear comments, if there are any. Otherwise, we can call a division.

Mr. Nadeau.

**Mr. Richard Nadeau:** I want a point of information. To reopen the report...

**The Chair:** We are not reopening the report. Let me make this clear: we are not touching the content of the report. It has been adopted. This is an addendum, similar to one which consists in asking the government to respond. Here, we are simply saying that we are not asking the government to respond. We would append this to the report.

**Mr. Yvon Godin:** We have already done it, Mr. Chairman.

**The Chair:** In any case, the committee is free to make the decisions that it deems necessary, and I think that the motion is in order.

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

**The Chair:** All right. Are there any comments or questions about the motion?

If there are no comments, let us call a division. I will read the motion out. Mr. Harvey moves that:

That the Committee add an appendix to the Report on the Protection of Language Rights under the Court Challenges Program stating that the committee does not wish to receive a response from the government.

Who is in favour and who is against?

(The motion is defeated)

**The Chair:** Mr. Godin.

**Mr. Yvon Godin:** Mr. Chairman, I would like to put it on the record that this was a unanimous decision.

**The Chair:** Are there any comments?

Mr. Gravel.

**Mr. Raymond Gravel:** Can someone move a motion and then vote against his own motion? This is utter nonsense.

**The Chair:** This is a democracy, Mr. Gravel.

Mr. Bélanger.

**Hon. Mauril Bélanger:** Mr. Chairman, I move that the committee do now adjourn.

**The Chair:** Agreed. The meeting is adjourned.







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