

The Joint Parliamentary
Committee on the
Constitution

A submission by the
Baltic Federation in
Canada

November 24, 1980

1. INTRODUCTION

The Baltic Federation in Canada represents approximately 100,000 Canadians of Estonian, Latvian and Lithuanian heritage. We feel we have the support of our communities with respect to the issues we raise below, since our communities are cohesive and not diverse in nature.

2. CHARTER OF RIGHTS AND FREEDOMS

The Federation supports in principle the entrenchment of a Charter of Rights and Freedoms in the Constitution Act, 1980, as an affirmation of fundamental rights and freedoms. Since our fellow countrymen in our occupied homelands are denied these rights, even though they are clearly spelled out in the Soviet Constitution, it is our position that minority groups and individuals are still better protected under an entrenched charter of rights.

We do have many reservations with respect to the proposed resolution regarding an entrenched Charter of Rights, however we are committed in principle to its inclusion.

3. ENTRENCHMENT OF CULTURAL AND LINGUISTIC MINORITY RIGHTS

In October 1970, The Government of Canada recognized the place, role and contribution of the non-English and non-French component of Canadian society and adopted a policy of encouraging the development of multiculturalism within a bilingual framework.

However that statement remained just a policy statement. Canadian ethnocultural communities still await a statutory recognition of the multicultural reality of Canadian society.

The Federation urges that the Constitution make a clear reference to multiculturalism, and the cultural as well as linguistic rights of minorities. Canada, a signatory to International Covenants on Social, Economic and Cultural Rights, and on Civil and Political Rights, as well as the Universal Declaration of Human Rights, which clearly protect linguistic and cultural rights of minorities, should adhere to the spirit of these agreements. We respectfully submit that the aspirations and rights of future generations of Canadians will be better served and protected with the inclusion of cultural and linguistic rights in the Constitution which will affect the "third Canadians."

With respect to the recognition and inclusion of multiculturalism, specifically non-discrimination rights (Section 15), the Federation strongly urges the adoption of a clause which would read as follows:

"The guarantee in this Charter of certain rights and freedoms shall not be construed as denying the existence of any rights or freedoms that exist in Canada, nor preclude any law, program or activity which has as its objective the protection of heritage language or cultural rights and the development of all cultures in Canada."

The Federation urges that the words "mother tongue" be included in Section 15(1). The inclusion of this term would provide a broadening of rights and a protection against discrimination.

The Federation urges the inclusion in Section 16(2) of the Charter, the words:

"or the right of a Legislature to extend status rights and use to any other language."

These changed sections would encourage Legislatures and government agencies to expand the interpretation of their mandate to protect and develop heritage language and culture, and would provide an essentially positive framework for multiculturalism in the new constitution.

The Baltic Federation in Canada

November 24, 1980

Toronto, Ontario

Laas Leivat

for

Mr. T.E. Kronbergs,
President