



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, October 18, 2016**

—

**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

Tuesday, October 18, 2016

The House met at 10 a.m.

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*Prayer*

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## ROUTINE PROCEEDINGS

• (1005)  
[English]

### PARKS CANADA AGENCY ACT

**Mr. Gordon Brown (Leeds—Grenville—Thousand Islands and Rideau Lakes, CPC)** moved for leave to introduce Bill C-315, An Act to amend the Parks Canada Agency Act (Conservation of National Historic Sites Account).

He said: Mr. Speaker, I rise today to introduce my private member's bill, an act to amend the Parks Canada Agency Act, regarding a conservation of national historic sites account. I had introduced this bill in the previous Parliament and it came forward from some of my constituents.

The legislation would permit national historic sites operated by Parks Canada to maintain a separate account for donations that would earn interest and that interest could be used for the restoration and preservation of that site.

I have a number of national historic sites in my riding, including the Battle of the Windmill National Historic Site, Fort Wellington, and of course the Rideau Canal. These are all national historic sites that could benefit from the legislation being passed in this Parliament.

(Motions deemed adopted, bill read the first time and printed)

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### PETITIONS

#### 150TH ANNIVERSARY OF CONFEDERATION

**Hon. Peter Van Loan (York—Simcoe, CPC):** Mr. Speaker, as part of the Liberals' ongoing war on history, the government is taking the absurd position of not including Confederation or history as the theme of the 150th anniversary of Confederation.

This petition originates from the Niagara region. It has been organized by members of the Bertie Historical Society, which knows a thing or two about history as its turf includes places where great battles in the War of 1812 took place as well as the Battle of

Ridgeway, which was the result of a Fenian raid and one of the driving impetus events for Confederation itself.

The petitioners call on the government to reverse the decision not to have Confederation as a theme of the 150th anniversary of Confederation and to make, believe it or not, Confederation a theme of the 150th anniversary of Confederation.

#### NATIONAL STRATEGY FOR SENIORS

**Hon. Alice Wong (Richmond Centre, CPC):** Mr. Speaker, I would like to present a petition today regarding a national seniors strategy for Canada.

The petitioners call on the government to appoint a minister for seniors and to develop a national strategy for seniors.

#### GENDER EQUITY

**Mr. Kennedy Stewart (Burnaby South, NDP):** Mr. Speaker, I rise today to present a petition signed by many constituents.

The petitioners call on the government to support Bill C-237, the candidate gender equity act. The constituents point out that women still only hold 26% of the seats here in this place and Canada is ranked 64th in the world in terms of gender representation in our legislature.

My constituents would like the legislation passed and we will have a chance to do that tomorrow night when we vote on the bill.

#### NATIONAL STRATEGY FOR SENIORS

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, I am pleased to present a petition today on a national strategy for Canadian seniors. This is a huge issue in my riding and it is brought up often. Our seniors are concerned that they have a voice in our government.

The petitioners call upon Parliament to appoint a minister for seniors and also to develop a national strategy for seniors.

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### QUESTIONS ON THE ORDER PAPER

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that all questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

*Government Orders***GOVERNMENT ORDERS***[English]***CANADIAN HUMAN RIGHTS ACT**

**Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.)** moved that Bill C-16, An Act to amend the Canadian Human Rights Act and the Criminal Code, be read the second time and referred to a committee.

She said: Mr. Speaker, I am very proud that on May 17 we introduced Bill C-16, an act to amend the Canadian Human Rights Act and the Criminal Code. The bill addresses a fundamental issue of equality and human rights, the discrimination and hate crimes experienced by trans and gender diverse Canadians.

At this time I would like to table, in both official languages, a potential charter impact statement for Bill C-16.

I would first like to acknowledge the efforts of colleagues in bringing this matter before previous Parliaments by the member for Esquimalt—Saanich—Sooke, the member for Vancouver Centre, and the former member for Burnaby—Douglas, Mr. Bill Siksay. Their hard work on this issue helped start an important national conversation on gender identity and expression. I thank them all for their leadership.

Canadians know that trans people make the same important contributions to Canadian society as everyone else, yet their life journeys are often more challenging, as they have to overcome misunderstandings, prejudice, and hostility because of their gender identity or expression. With the bill, we unequivocally say that Canada can do better. As the Prime Minister has said, Canada is stronger because of its diversity, not in spite of it.

Bill C-16 reflects our commitment to this diversity and provides for equality and freedom from discrimination and violence for all Canadians, regardless of their gender identity. With the bill, we say loudly and clearly that it is time to move beyond mere tolerance of trans people. It is time for their full acceptance and inclusion in Canadian society.

Bill C-16 would bring us closer to this goal by amending two statutes: the Canadian Human Rights Act and the Criminal Code. These two statutes play an essential role in affirming the basic equality rights of all Canadians and reducing their vulnerability to harm. It would improve legal protections for trans and gender diverse people by updating the laws against discrimination, hate propaganda, and hate crimes. It would promote inclusion and respect for trans people who have so often been relegated to the margins, struggling for full recognition and participation in our society.

Some of the words and concepts used in the discussion on Bill C-16 may not be familiar to all Canadians. For this reason, I would like to elaborate on some of the terminology being used. The term “gender identity” is a person’s internal or individual experience of their gender. It is a deeply felt experience of being a man, a woman, or being somewhere along the gender spectrum. Gender identity is a profound matter of self-identity. It shapes one’s self-understanding.

Conversely, “gender expression” is how a person publicly presents their gender. It is an external, or outward presentation of gender through aspects such as dress, hair, makeup, body language, or

voice. Trans and gender diverse persons are among the most vulnerable members in society. As parliamentarians we have the opportunity to make their lives safer and freer. Bill C-16 presents an opportunity to ensure that our laws provide clear and explicit protection to those who need it the most.

I will begin by discussing the proposed amendments to the Canadian Human Rights Act. Parliament enacted this act in 1977 to promote equal opportunity in federal workplaces and in access to goods and services. The act says:

all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices

● (1010)

Canada has a long history of laws that recognize and seek to address harmful discrimination. Over the course of this history a theme has emerged, one of greater awareness of the barriers to opportunity that exist in our society.

When legislatures across this country came to understand the pervasive harm done by discrimination against women, they prohibited discrimination based on sex. Later, legislators expanded the laws again to legally protect persons with disabilities. Other prohibited grounds of discrimination are now common in human rights laws throughout the country, such as family status and sexual orientation.

Today, we are at a point in our history where we must act again. We must renew our commitment to equal opportunity and further extend legal protection to vulnerable Canadians who experience discrimination. In recent years, many legislatures in Canada have acted to protect the rights of trans and gender diverse persons. We can now see these legal protections are not just symbolically important; they are absolutely necessary. Significant Canadian surveys paint an alarming picture.

In 2009 and 2010, the Trans Pulse project studied the experiences of approximately 500 trans persons in Ontario. They reported significant employment barriers, including 13% having been fired and 18% having been refused employment because they were trans. Given these barriers, it is not surprising that trans persons are significantly underemployed, with a median income of \$15,000 per year, despite generally high levels of education. In fact, 44% of trans persons in Ontario have a post-secondary degree.

*Government Orders*

Tragically, more than half of trans people in Ontario have symptoms consistent with clinical depression. A shocking 43% of trans adults in Ontario had a history of attempting suicide, including 10% having made an attempt within the past year. The difficulties faced by trans persons are significant and deserve our attention. The experiences of trans and gender diverse youth are especially troubling.

In 2011, Egale Canada conducted the first national climate survey on homophobia, biphobia, and transphobia in Canadian schools, collecting information from over 3,700 lesbian, gay, bisexual, and trans high school students. Results showed that 23% of trans students reported hearing teachers use negative gender-related or transphobic comments weekly and even daily. The study also indicated very high levels of verbal, physical, and sexual harassment. Specifically among trans students, 74% reported verbal harassment, 49% reported sexual harassment, and 37% reported physical harassment linked to being trans.

Not surprisingly, 52% of trans youth reported feeling unsafe in both change rooms and washrooms. This is completely unacceptable. Too many trans and gender diverse persons are being deprived the opportunity to contribute and flourish in our society. These figures reinforce the need for Bill C-16, through which we, as parliamentarians, can do our part to address this shocking reality.

It should go without saying that discrimination is a matter of public concern. When a person loses the opportunity to work or faces persistent discrimination, we all lose potential contributions to our society, to our workplaces, and the Canadian economy. Depriving individuals of freedom to make for themselves the lives that they are able and wish to have undermines their ability to participate in society.

By adding gender identity as a prohibited ground to the Canadian Human Rights Act, Bill C-16 aims to ensure that people of all gender identities are protected from discrimination. We have heard from trans and gender diverse persons that their gender expression is often the basis of the discrimination they face. Gender norms are reinforced by our society, yet they do not fit all of us. There is great diversity in how Canadians dress and speak, in their appearance, and their behaviour. No one should be disadvantaged solely because they do not conform to someone else's gender-based expectations.

It is also important to understand what these amendments would mean to the Canadian Human Rights Act. The act defines a number of discriminatory practices, such as refusing to hire or promote an employee, or refusing to serve a customer based on the prohibited grounds of discrimination. By adding "gender identity or expression" to the list of prohibited grounds, it will be clear that practices that discriminate on these grounds will not be permitted.

• (1015)

People suffering discrimination can make a complaint to the Canadian Human Rights Commission. The commission then investigates complaints and attempts to mediate between the parties to resolve the dispute. If the commission believes that a dispute should be given a hearing and an authoritative decision, it may refer the complaint to the Canadian Human Rights Tribunal. If the tribunal determines that discrimination has occurred, it may order a range of

remedies, such as reinstatement in a job, an order that the discrimination cease, or monetary remedies.

The purpose of the act is to end and correct discriminatory practice. The Canadian Human Rights Act already provides some protections for trans persons. Tribunals and courts in several jurisdictions in Canada have found that discrimination against trans persons is a kind of discrimination based on sex, which is already a prohibited ground of discrimination. However, it is not enough to leave the law as it is. Canadians should have a clear and explicit statement of their rights and obligations. Equal rights for trans persons should not be hidden but be plain for all to see.

The legal clarity would provide two tangible benefits. First, people who are subject to discrimination on the basis of gender identity or expression would be able to make their case in precisely those terms. Making a formal claim of discrimination can be an intimidating process. Explicitly including gender expression or identity in the Canadian Human Rights Act would make it easier to interpret for those who have suffered this kind of discrimination, instead of forcing them to explain how the law on sex discrimination covers their situation. Second, these amendments would raise awareness of the protections and obligations under the act.

Bill C-16 does not define gender identity or expression. This is consistent with the majority of prohibited grounds under the act. There are good reasons to continue with this approach.

Many of the grounds, such as race and religion, cannot be captured in a single definition. There are more subtle and complex concepts that evolve over time and reflect the particular cases the act deals with. That does not mean that they are vague or obscure.

Gender identity and gender expression are increasingly common terms with enough subtle meaning to allow the commission and the tribunal to interpret them. Gender identity is now found in eight provincial and territorial human rights codes, and gender expression is found in five. In none of these are the terms defined by statute.

The Canadian Human Rights Commission is also able to provide detailed guidance on how to comply with the law. The commission has an important policy and education mandate, which includes interpreting the act and promoting compliance with it. The commission will continue to perform its role of assisting employers and service providers in understanding and complying with the law.

Next, I will turn to the amendments to the Criminal Code proposed in Bill C-16.

*Government Orders*

Trans people in Canada face a significant risk of violent crime. While official data from police services is scarce, 20% of respondents in the Trans Pulse survey had been physically or sexually assaulted, although many did not report these assaults to police.

A recent report by the National Aboriginal Health Organization indicated that aboriginal LGBTQ youth are twice as likely to face attacks as heterosexual youth.

The Criminal Code has specifically prohibited hate propaganda since 1970. There are criminal offences for advocating or promoting genocide against an identifiable group, for inciting hatred by communicating statements against an identifiable group in a public place that is likely to lead to a breach of the peace, or for willfully promoting hatred other than in private conversations against an identifiable group. They are found in section 318 and 319 of the Criminal Code. All three offences protect identifiable groups.

Until recently, this was defined by the Criminal Code as “any section of the public distinguished by colour, race, religion, ethnic origin or sexual orientation”. The list has been expanded over time to include national origin, age, sex, and mental and physical disability.

• (1020)

Bill C-16 proposes to amend the Criminal Code to add “gender identity or expression” to this list. As a result, the bill, if enacted, will extend protections to groups identifiable on the basis of gender identity or expression, which to date have been left out of the protections provided by hate propaganda offences. It will provide long overdue equal protection under the law.

Finally, the bill proposes to amend paragraph 718.2(a)(i) of the Criminal Code, which directs judges to consider as an aggravating factor in sentencing any evidence that an offence was motivated by bias, prejudice, or hate based on race, national or ethnic origin, religion, colour, sex, language, age, mental or physical disability, sexual orientation, or any other similar factor.

While the term “any other similar factor” is open-ended, the purpose of this protection is to denounce crimes motivated by hatred. By adding gender identity and expression to the list, we will send a clear message that there is no place in Canadian society for crimes committed out of bias, prejudice, or hate based on gender identity or expression.

In Canada we celebrate inclusion and diversity. All Canadians should feel safe to be themselves. When I introduced the bill back in May, Charlie Lowthian-Rickert, an amazing young activist who I am pleased to say is in the chamber today, was here and very publicly stood beside me, proud of its introduction. She stated in the press conference that she now feels safer because of the legislation that had been introduced. Charlie is not alone in feeling this way.

Bill C-16, an act to amend the Canadian Human Rights Act and the Criminal Code, is an important step. It reflects Canada's commitment to equality and freedom from discrimination and violence. It affirms the basic equality of all Canadians and provides explicit legal protection to one of the most vulnerable communities in our society.

It is time for Parliament to ensure that our laws provide clear and explicit protection for trans and gender diverse Canadians. I very much look forward to the dialogue, and I very much look forward to all members in the House supporting Bill C-16.

• (1025)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I would like to thank the hon. member for her heartfelt speech, and I certainly support protecting all Canadians from discrimination, but my understanding is that these freedoms are already protected in provincial law as well as in the charter.

At the Status of Women committee, we heard of the difficulties and discrimination trans people experience. However, is it that the law is missing, or is it a lack of enforcement of the existing laws and a lack of public education that is really the issue? I wonder if the member could comment.

**Hon. Jody Wilson-Raybould:** Madam Speaker, certainly we have many protections in our country, including within the Charter of Rights and Freedoms.

What we are talking about here is explicitly recognizing the need to protect gender identity and gender expression within the Canadian Human Rights Act. This is something that advocates in trans society have been moving toward and pressing for some time.

It clearly places it as a prohibited ground of discrimination in the Canadian Human Rights Act, providing more clarity in terms of that discrimination when potential cases arise. This is a piece of legislation that will protect all Canadians in their daily lives to ensure that all Canadians can feel safe to be themselves.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I would like to thank the minister for leading off the debate on this government bill to protect transgender Canadians, and I thank her for acknowledging the work others did in the House before, in particular MP Bill Siksay, who really started this debate.

I know she would join me in congratulating the trans community across the country, those very brave trans people who stepped forward to demand that they receive the same rights and dignity that all other Canadians already enjoy.

Will the government join with me and others on this side of the House in moving the bill expeditiously? The bill first passed the House of Commons six and a half years ago. My own bill passed more than three years ago, and it is really time for us to act.

**Hon. Jody Wilson-Raybould:** Madam Speaker, I very much appreciate the question from my hon. colleague across the way and again would echo the acknowledgement of the tremendous amount of work that you and Mr. Siksay, and I think I mispronounced his name when I was speaking—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would ask the member to please direct her comments to the Chair.

*Government Orders*

**Hon. Jody Wilson-Raybould:** Madam Speaker, I acknowledge the work of current and past members in the House and without question would underscore and acknowledge the hard work of the trans population in this country in bringing us to this place.

Without question, I would support moving Bill C-16 forward as quickly as possible so that we can ensure that there is recognition and protection of gender identity and gender expression in the Canadian Human Rights Act.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I appreciate my colleague bringing forward the bill today and the passion she expressed in her speech.

At the beginning of her comments, she made reference to discrimination, whether it is against individuals with mental or physical disabilities, women, or now, trans persons. How important is it that we, as the House of Commons, continue to look at ways to encourage freedom and equality, attributes that Canadians hold close to their hearts? This is a piece of legislation that continues to move Canada forward. I would ask her to comment on that.

• (1030)

**Hon. Jody Wilson-Raybould:** Madam Speaker, I would echo his comments in terms of equality and the importance of the legal framework as the basis upon which we live as Canadians. I feel that as Canadians, we are most confident when we know that we live in a caring and compassionate society under a legal and political framework that will protect us, regardless of our race, gender, gender expression, or faith. It is within that endeavour that we are introducing Bill C-16 to ensure that there is equality across the country, that people have the freedom to be themselves, that there are no barriers in the way of people achieving what they want to achieve if they work hard, and that the protections will be there for them.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Madam Speaker, I want to indicate that for many of the comments the minister made, I am in 100% agreement. No one in the House, myself included, would endorse any kind of hate crime, hate speech, bullying, or violence of any kind. However, there are groups in our country, immigrant and faith groups, that may be in slightly different places in their understanding of this issue.

Would these groups have the freedom to teach their children and practise their beliefs without being accused of hate speech or human rights violations?

**Hon. Jody Wilson-Raybould:** Madam Speaker, we live in a country that has rights and freedoms. Fundamental to each individual Canadian is the right to be themselves and to be protected while being themselves.

In terms of any willful promotion of hatred that could potentially exist against trans individuals or people of different gender expressions, that is why we are introducing Bill C-16, as upheld by the Supreme Court of Canada in terms of its constitutionality. I recognize freedom of religion. It is important to respect those freedoms and the rights contained in our Constitution but to also ensure that everyone has the ability to feel safe, to be themselves, to express who they are, and to succeed as all Canadians do in this country.

**Mr. Randall Garrison:** Madam Speaker, I understand that there are concerns about the impact of this legislation, but I am more concerned about the impact of the lack of legislation. I know that the minister is familiar with the situation of trans people, who often end up homeless, and in particular, of aboriginal transgender people, who are some of the most discriminated-against people in our entire society.

I would again ask the minister if she would join with me in suggesting to people in the House who are concerned that there are very real concerns on a daily basis for the most marginalized in our society.

**Hon. Jody Wilson-Raybould:** Madam Speaker, I would further commit to and underscore the importance of recognizing those among us who are more marginalized and more vulnerable, and to ensure that we do everything we can within our power to protect and provide for these people.

In the drafting and thinking about Bill C-16, we engaged with many stakeholders in the trans community and many organizations and individuals who have been marginalized, and sought their important feedback. If and when this legislation passes and becomes law, this conversation will continue, in terms of how we operationalize this in the most appropriate ways and how we, as a government and a country, need to ensure that we move forward in an appropriate way that recognizes the interests, the needs, and the concerns of these marginalized populations.

**Mr. Michael Cooper (St. Albert—Edmonton, CPC):** Madam Speaker, I would ask for unanimous consent to be able to split my time with my colleague, the hon. member for Kitchener—Conestoga.

• (1035)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Does the member have unanimous consent?

**Some hon. members:** Agreed.

**Mr. Michael Cooper:** Madam Speaker, I rise this morning to speak to Bill C-16, an act to amend the Canadian Human Rights Act and the Criminal Code by expressly including gender identity and expression as prohibited grounds of discrimination under the Canadian Human Rights Act.

Over the last number of years there has been increased awareness about issues concerning transgendered Canadians. As result there is greater understanding of and sensitivity to transgendered persons.

There is no doubt that it was not long ago in Canada that it was difficult to be transgendered, and I would submit that there are many challenges that transgendered Canadians face today. Quite frankly, I think the vast majority of Canadians stand in opposition to discrimination against transgendered persons. I certainly oppose discrimination against transgendered persons. In the context and the spirit of opposition toward discrimination against transgendered Canadians, I support the underlying intention of Bill C-16.

*Government Orders*

That said, while I support the underlying intention of Bill C-16 and will be supporting the bill so it can at least get to committee, I acknowledge there are legitimate questions about whether the bill is necessary from a legal standpoint. I want to emphasize that I say this from a legal standpoint, because I am not suggesting and am not talking about discrimination against transgendered persons, because we are opposed to that. Rather, I am talking more broadly about whether Bill C-16 would add anything substantively at law to protect transgendered Canadians. I would suggest that the answer to that is likely not.

Sex and sexual orientation are prohibited grounds of discrimination under the Canadian Human Rights Act and under various provincial human rights codes. Sex and sexual orientation have been broadly interpreted by the Canadian Human Rights Tribunal, by provincial human rights commissions, and by the courts. As a result of that broad interpretation, today in Canada discriminating against transgendered Canadians constitutes a prohibited ground of discrimination under the Canadian Human Rights Act. In that regard, Bill C-16 would not add or take anything away. Really, at law, it would maintain the status quo.

The fact that transgendered Canadians are protected under the Canadian Human Rights Act is demonstrated by a number of decisions by the Canadian Human Rights Tribunal. Here I am talking about Kavanagh and the Correctional Service of Canada case; Montreuil and the Canadian National Bank case; Montreuil and the Canadian Forces case; and the Nixon case out of the British Columbia Court of Appeal, which upheld a ruling of the British Columbia Human Rights Commission in 2005. All three Canadian Human Rights Tribunal cases dealt with alleged discrimination on the basis of gender identity. All of the cases were in the context of federally regulated workplaces and therefore engaged the Canadian Human Rights Act.

● (1040)

In all three cases, the Canadian Human Rights Tribunal determined that sex, which constitutes a prohibited ground of discrimination under the Canadian Human Rights Act, included transgender Canadians. Bill C-16 does not really add anything substantively at law. Therefore, it begs this question. What does Bill C-16 actually do? I would suggest that Bill C-16 is symbolic. I recognize that this is important to a number of people. I certainly know that some in the transgender community would say that words have meaning and that they take comfort by the express inclusion of gender identity and expression in the Canadian Human Rights Act. I acknowledge that. However, while I acknowledge and am sympathetic to it, I would also state that legislating on the basis of symbolism is not a good way of going about crafting legislation.

What is more, I would submit that Bill C-16 is inconsistent with the way human rights legislation has been drafted across Canada. Human rights legislation, in terms of the broad prohibited grounds of discrimination, is crafted broadly. They are broad torts. We are talking about prohibited grounds, such as sex and sexual orientation, which I have already discussed, and age, disability, race, and ethnicity. There are many groups and subgroups that could fit into any one of those expansive terms. However, we do not list every single group or subgroup because it would be impractical to do so. It would be legally unnecessary to do so because those groups and

subgroups are already protected by those broad categories, and in some cases it might even be legally problematic, as there might potentially be unintended consequences from creating a laundry list of various groups. Therefore, Bill C-16 is not consistent with how human rights legislation has been drafted.

That said, I reiterate my earlier point that there are many in the transgender community who say that this would be meaningful to them. From the standpoint that I oppose discrimination against transgender Canadians and to the degree that the inclusion of gender identity and expression would remove any ambiguity that potentially exists, which I do not believe there is, but to the degree that there might be, I am prepared to support Bill C-16 because I support it in principle so we can get it to committee. As a member of the justice and human rights committee, I look forward to the opportunity to look more closely at the bill when it gets to committee.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I appreciate the comments made by the member. I thought it was interesting that he talked about the underlying intentions of Bill C-16 that he, representing the Conservative Party, appreciates. He understands why that commitment on the issue is so critically important.

My question for the member is with respect to the symbolism he referred to. I would argue that the minister who spoke before him put forward a very strong case that this is more than just symbolic. The member said that he and the Conservatives would be supporting the bill's passage to committee stage, which I applaud. The question I have for the member is this. If he believes that this legislation goes beyond symbolism, does he then see himself and the Conservative Party supporting it going both to committee and third reading?

● (1045)

**Mr. Michael Cooper:** Madam Speaker, let me just clarify that there will be a free vote on our side. Members will have an opportunity to look at the bill and make a decision. However, on the broad question of whether Conservatives oppose discrimination against transgendered persons, I can say that Conservatives are united in our opposition to discrimination, as are the vast majority of Canadians.

I believe that the bill is well intentioned, but it is important that there be careful study and review. I understand this has been debated before, but we need to look very carefully at what all of the implications of the bill would be to make sure that it in fact would do what the minister says it would do and that there would not be any unintended consequences.

I certainly have heard from members of the transgendered community who have spoken in strong support of this legislation. I take their sentiments very seriously, which is why I want to support the bill so we can get it to committee stage for further study and review.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I want to thank the member for his speech and support of the bill in principle, and I respect the sincerity with which he has offered his comments.



*Government Orders*

He has made the argument that the bill is really unnecessary, which we have heard each time it has come before the House. I wonder whether he is familiar with the position of the Canadian Human Rights Commission and the Canadian Human Rights Tribunal, which have both said repeatedly that there are gaps in the current legislation and that there are good legal reasons for amending the Criminal Code hate crimes section and the Canadian Human Rights Act to make sure that transgendered Canadians are explicitly covered. Those are the legal arguments they have both made.

He also said that doing things symbolically in the Criminal Code is not a good idea. However, the previous Conservative government spent a lot of time saying it is important for the Criminal Code to denounce unacceptable behaviour in our society. I submit that the bill is very similar to lots of legislation introduced by the previous government, which sought to label certain behaviour as not acceptable in our society.

**Mr. Michael Cooper:** Madam Speaker, I want to thank the member for his question and for his leadership on this issue.

Certainly, the question of gaps under the Criminal Code, in terms of existing law, is something that the justice committee will have to study very carefully. However, based on my review of the cases that have been adjudicated by the Canadian Human Rights Tribunal and cases that have gone to levels of courts across the country, including the British Columbia Court of Appeal, I believe that the existing language does protect transgendered Canadians. However, the question of potential gaps is something the justice committee will have to look at very closely, should the legislation pass, which I anticipate it will.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Madam Speaker, I rise today to speak to the government's Bill C-16.

In its current form, I cannot support this bill for a number of reasons. Let me assure all of my colleagues in this House and, indeed, all Canadians that I do not oppose this bill because of any hatred for, any fear of, nor any malice toward anyone who is dealing with questions of gender identity.

Before I outline my concerns about the potential negative outcomes of Bill C-16, allow me to say clearly that I am supportive of any initiatives that will protect persons from hate speech. I am supportive of the need to guarantee equal rights. I also agree that there can be no tolerance for bullying or violence of any kind, or for any reason.

Parliamentarians and all Canadians have a duty to prevent bullying, hate speech, violence, or any such behaviour, but I am wary of the demands of any government-imposed value systems that would change fundamental definitions and principles of society. The imposition of fundamental value system changes of this magnitude must be viewed with some degree of skepticism. Too much is at stake for us to proceed without caution, if we proceed at all.

I am supportive of equal rights for all, but in my opinion this bill goes far beyond equal rights into the territory of granting extra rights or special rights for some; and in the process of granting those extra rights for some, we automatically diminish and deny the legitimate time-honoured rights of many others.

Relating to Bill C-16, I have a number of concerns. Some of the concerns address immediate potential negative repercussions, while others relate to the potential for long-term effects and outcomes of the enactment of this bill.

My concerns lie in four areas. I am concerned that this bill would cause fear for many Canadians, fear that they would not be able to even discuss public policy issues, such as this one, on which they may disagree with the government-imposed agenda. I am concerned about the potential harm to innocent children and youth as a result of the possible invasion of their privacy. I am concerned that the terms gender identity and gender expression are very subjective terms, far too subjective to be used in the context of legal documents, particularly in the Canadian Human Rights Act or the Criminal Code of Canada.

Finally, I am concerned that, when government adopts dramatic changes to public policy as it relates to gender identity and sexuality, with minimal research or support, the results could be harmful for all members of society, but especially for those we are actually trying to help; that is, transgendered children or youth.

Let me address these points in reverse order. Would this bill inadvertently harm those whom we are trying to help? There have been many eminent scholars, medical practitioners, psychologists, psychiatrists, and professional organizations that have raised legitimate concerns about the current treatment of the transgendered person and are especially concerned about long-term negative effects of hormone treatment and reassignment surgery.

The American College of Pediatricians urges educators and legislators to reject all policies that condition children to accept a life of chemical and surgical impersonation of the opposite sex. They point out the biological medical dangers associated with the use of puberty-blocking hormones and the follow-up use of cross-sex hormonal medication—testosterone and estrogen—which are needed in late adolescence. These are known to be associated with dangerous health risks including, but not limited to, high blood pressure, blood clots, stroke, and cancer.

There is another sobering statistic, and that is the increased suicide rate. During my 10 years here in Parliament, possibly the one issue that has received most of my attention has been suicide prevention. Motion M-388, dealing with Internet predators, and Bill C-300, An Act respecting a Federal Framework for Suicide Prevention were private members' business initiatives that I tabled and worked on diligently for many years.

The research is clear that the suicide rate for adults is 20 times higher for those who have used cross-sex hormones and undergone sex reassignment surgery, even in Sweden, which is among the most LGBTQ-affirming countries.

The American College of Pediatricians states that:

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Conditioning children into believing that a lifetime of chemical and surgical impersonation...is normal and healthful is child abuse. Endorsing gender discordance as normal via public education and legal policies will confuse children and parents, leading more children to present to "gender clinics" where they will be given puberty-blocking drugs. This, in turn, virtually ensures that they will "choose" a lifetime of carcinogenic and otherwise toxic cross-sex hormones, and likely consider unnecessary surgical mutilation of their healthy body parts as young adults.

● (1050)

Research reported by the American Psychiatric Association in *Diagnostic and Statistical Manual of Mental Disorders*, fifth edition, clearly shows that the large majority of boys and girls who experience gender dysphoria will not experience the persistence of these feelings following adolescence.

I also urge my colleagues to listen to Dr. Ken Zucker, professor in the department of psychiatry and psychology at the University of Toronto, and to Dr. Susan Bradley, psychiatrist in chief at the Hospital for Sick Children and head of the division of child psychiatry and professor emeritus at the University of Toronto. They state:

It has been our experience that a sizable number of children and their families can achieve a great deal of change. In these cases, the gender identity disorder resolves fully, and nothing in the children's behavior or fantasy suggest that gender identity issues remain problematic.

In light of the input from these groups and experts in psychiatry and psychology, at the very least it is important that government does not legislate ideological conformity on this issue. We need to take a stand for good public policy as it relates to gender and sexuality, and to base our decisions on scientific research that will help protect against devastating lifelong negative consequences.

Another major concern for me in Bill C-16 is the issue that the terms gender identity and gender expression are very subjective terms, far too subjective to be used in the context of legal documents. Would policies protecting people on the grounds of gender identity and expression merely provide safety and protection—that is, provide a shield against abuse—or would they be used to drive a broader agenda? As legislators, are we simply trying to protect the sexual minority from verbal and physical abuse, or are we also intending to impose a cultural shift in our very understanding of human sexuality and gender expression? What would the impact be on immigrant groups and faith groups, the majority of which are at odds with gender fluidity concepts? Would they have the freedom to teach their children and practise their beliefs without being accused of hate speech or a human rights violation?

For me and the millions of other Canadians who acknowledge the supremacy of God, as the first words of our charter affirm, there is the reality that our faith journey is the foundation of our world view. If freedom of religion is to be embraced, then it is of paramount importance that Bill C-16 not infringe upon that fundamental freedom. It is important that government clarify the nature of the protection being afforded and how it expects terms such as gender identity and gender expression to be interpreted. The implications are too unpredictable. Far too much is left to interpretation that would result in unnecessary accusation of human rights violations as well as litigation and endless court cases to further tie up our court system.

Another concern is the potential harm to innocent children. As I stated earlier, I am in total support of equal rights. Therefore the

question needs to be asked: Where are the equal rights? Is it equal rights of the boys or girls and of the young men or women who expect to find only those of their same gender in their change rooms? Is it fair to have their rights trampled upon by this imposition of extra rights for some? Common sense dictates that the potential for abuse of this new freedom to self-identify with a change room of one's own choice could very well lead to bullying, harassment, and even sexualized violence in these public spaces. One of the pitfalls of Bill C-16 is its failure to recognize the potential that heterosexual predators who, while not transgendered themselves, would take advantage of the protection of this bill to hide behind their predatory pursuits.

Yes, I am concerned for the safety and well-being of young children and youth, who deserve their right to privacy.

Finally, I am concerned about the fear this bill may cause for many Canadians. I fear they will not be able to even discuss public policy issues such as this one, on which they may disagree with the government agenda. Any law that limits legitimate discussion and debate of closely held beliefs presents a danger to freedom of expression, a fundamental value held dear by people across the political spectrum. The right to disagree must be viewed as sacred in our society. It is the lifeblood of both new ideas and age-old protections.

I am simply asking that those who support this bill respect my right and the rights of millions of Canadians not to be charged with human rights violations because we make our views known or because we disagree with others' views. We can and must respect each other even in spite of holding opposing views. It is my hope that we can openly disagree without labelling each other.

● (1055)

**Mr. Kennedy Stewart (Burnaby South, NDP):** Madam Speaker, first, I have had the privilege of succeeding Bill Siksay as the MP for Burnaby South, who has worked on this issue for many years. I also had the great privilege of seconding the bill when my friend, the member for Esquimalt—Saanich—Sooke, put it forward in the last Parliament. This issue is very important to me, as it is to many members in the House.

Does the member actually know any transgender people and has he sat down and spoken with them about their day-to-day struggles and how much this bill would help alleviate those day-to-day struggles?

**Mr. Harold Albrecht:** Madam Speaker, as I indicated in my remarks, I do not expect that all people in this chamber or, in fact, all Canadians will agree with my perspective on the bill.

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Yes, I do know transgender people and, yes, I have spoken with people who have these issues to deal with. However, as I outlined in my comments today, it is my concern that if we are really trying to help people who are struggling with these issues, we be open and honest with them about some of the potential dangers they may face.

A famous biblical statement says "...the truth will set you free". I believe it is up to us in the chamber, especially where Parliament should hear the views from all perspectives, to hear and respect the views from all sides.

• (1100)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, there are many people of many faiths in our country who have a belief that gender identities are male and female. Where there is freedom, it should be okay to believe in various gender identities and it should be okay to not believe that.

Is the member concerned that the legislation would weaken the protections for freedom of religion in our country?

**Mr. Harold Albrecht:** Madam Speaker, I outlined in my comments a number of potential concerns that may need to be addressed in the future.

I know for a fact, having spoken with many people, even over the last weekend, that some groups are very concerned about the potential impact this would have on faith communities or on immigrant groups that, by and large, are not open with this idea of gender fluidity. It is my concern that as a faith group leader, as a parent in a faith group, we need to have the freedom to share our beliefs with our children and grandchildren and not be afraid that if we do not necessarily go along with the government-imposed agenda, we will somehow be accused of hate speech or of violating some Charter of Rights and Freedoms points.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, first, the member for Kitchener—Conestoga has always treated me with great respect, despite his reservations about my own identity as a gay man. However, he is error when he says that faith communities and their majority reject transgender people. In fact, the vast majority of faith communities in our country have made clear expressions of their support for this bill. That was made very evident in the last Parliament.

Raising the question of religious freedom and freedom of speech could be raised in every context. The bill would do nothing to restrict people's freedom to their own beliefs or to teach their own children. What it would do is try to protect the expression of hatred and the kind of discrimination in public that takes place each and every day against transgender Canadians.

**Mr. Harold Albrecht:** Madam Speaker, I want to clarify what I think I heard my colleague say. I do not believe I said that the large majority of faith groups or immigrant groups were opposed to transgender people. They are certainly not. We are welcoming of them as persons. We simply may disagree with the points of Bill C-16 when it comes to the subjectivity of the term "gender expression and gender identity". Certainly, I will stand in this place, and I hope all my colleagues would agree with me, and oppose any form of discrimination that is based simply on gender identity or sexual identity. However, we do not necessarily endorse all the implications that the bill may bring forward down the road.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I would like to ask for the unanimous consent of the House to split my time in the opening round of debate with the member for Hochelaga.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Does the member have unanimous consent?

**Some hon. members:** Agreed.

**Mr. Randall Garrison:** Madam Speaker, I am pleased to rise today in support of Bill C-16, and I am pleased this time to be supporting a government bill to guarantee the same rights and protection to transgender Canadians that the rest of us already enjoy.

I thank the Minister of Justice for adopting my original private member's bill as a government bill, and for inviting me along to her press conference. I also want to thank her for reaching out to the trans community before the bill's introduction and consulting with those who are at the heart of this debate.

Yet, I cannot help but be disappointed to be still standing here today more than five years after I introduced my private member's bill, Bill C-279. I know many of us continue to feel frustrated at the delays in seeing this bill become law. It is an important bill in that it would fill the largest remaining gap in Canadian human rights legislation.

Over the past five years, I have had the privilege of having my name associated with the legislation, but I want to make it clear that the progress that has been made is a result not of my efforts but of those from the trans community who have stepped forward to demand that they be treated with the same dignity and respect as all other Canadians.

Over the past five years, I have learned much, and it does bear restating that gay men have not always been the best friends of our trans brothers and sisters. I learned a great deal from a first nation sister, a trans woman who travelled a very rocky road but is now a successful small business owner in Vancouver. I learned much from a trans man who became a distinguished therapist now working with others facing transition issues. I learned from a trans woman who had to rebuild her career as a concert pianist after transitioning. I learned from a friend who now holds the first chair in transgender studies at UVic, home of the world's only transgender archives and the first transgender studies program. I learned a great deal from my friend and political ally who is a tireless community activist in Toronto. I learned from many others, including students, consultants, office workers, factory workers, sex workers, and street kids.

*Government Orders*

While this proposed legislation has been languishing before the federal Parliament, some progress has still been made. While I would like to think the debate here provokes that progress elsewhere, it is clear that we have lost the chance in this Parliament to be a leader on the question of equal rights. In the meantime, seven provinces have adopted corresponding provincial human rights legislation: Ontario, Manitoba, and Nova Scotia in 2012; Newfoundland and P.E.I. in 2013; Saskatchewan in 2014; and B.C. and Quebec, this year, 2016.

The issue of trans rights is not a partisan issue, thank goodness. Amendments to protection against discrimination on the basis of gender identity were proposed by NDP governments in Manitoba and Nova Scotia, a Liberal government in P.E.I., and Conservative governments in Saskatchewan and Newfoundland. Those amendments passed with all-party support in Ontario and British Columbia.

Nor are trans rights an issue restricted to the Canadian context. Now, more than 18 countries have explicit protections of the kind proposed in Bill C-16, and the list may surprise members. Argentina has been a world leader in the protection of the rights of transgender citizens, but the list also includes Uruguay, Bolivia, Spain, France, Ireland, Estonia, Croatia, Montenegro, Albania, Israel, Cypress, Nepal, Australia, and New Zealand, among others.

In the United States, 16 states, plus the District of Columbia, provide explicit protections for transgender residents, but unfortunately some states also specifically allow discrimination against the trans community, most recently with new legislation in North Carolina.

In Canada, some public institutions and private companies have chosen to act without waiting for legislation. The Canadian Labour Congress has produced guides for transition in the workplace for use by all of its affiliates to ease transitions in unionized workplaces. Others have also moved forward, including the big banks, like the Toronto-Dominion Bank and the Royal Bank.

I will now return to Parliament. The bill was first introduced by former NDP MP Bill Siksay in 2005, again in 2007, and again in 2009. In the spring of 2010, on his third attempt, Bill actually saw his bill pass by the House, only to see it die in the Senate when an election was called.

My bill, Bill C-279, was passed by the House in March 2013, and before the 2015 election, it had passed through all stages in the Senate, bar one.

Therefore, I urge the House today to deal with the legislation as quickly as possible. I am confident the bill will pass second reading for the third time today, and I am hopeful it will return to the House quickly for final approval.

This will be possible if the justice committee agrees that it is unlikely to learn new things about the bill in yet another set of hearings. Between 2013 and 2015, three separate sets of parliamentary hearings were held, with 17 witnesses appearing before the House justice committee, and 18 witnesses before two different Senate committees.

• (1105)

In fact, if we judge by previous experience, new hearings in the House and the other place would only risk providing a platform for

trans phobia. This is especially true when it comes to the most significant red herring concerning transgender rights: the question of bathrooms and change rooms, which we heard raised here earlier today.

I am hesitant to even mention this issue, but it continues to surface, even after it has been shown to have no basis in fact. I frankly believe its persistence is a sign of the very trans phobia we are trying to address in this bill. We all know that in the real world, the only ones at risk in bathrooms are trans people, who are almost always perceived to be in the wrong place.

We need to pass Bill C-16 as expeditiously as possible if we are to avoid allowing opponents of the bill to use media sensationalism to promote hatred against the trans community for their own political purposes. We have only to look south of the border to states like North Carolina to be reminded that this risk is very real.

The time to add gender identity and gender expression to the Canadian Human Rights Code and the Criminal Code is long past due.

While some have argued on technical grounds that the bill is unnecessary, we have heard clearly from the Canadian Human Rights Commission and the Canadian Human Rights Tribunal that it is needed, both to fill technical gaps and also for the purpose of denunciation. Passing Bill C-16 will say clearly that discrimination and violence against the trans community is not a part of our Canadian values.

In reality, of course, the proof that the legislation is needed is the ongoing discrimination suffered by transgender and gender-variant Canadians. We do not have comprehensive statistics on the trans community in Canada, partially precisely because of their exclusion from human rights legislation. However, the one study done some time ago in Ontario, which the minister referenced in her speech earlier this morning, demonstrates what we can all see if we choose to look.

Unemployment rates for trans Canadians are more than double the average and the poverty rate for trans Canadians is among the highest of any group, with just over half of the transgender community earning less than \$15,000 per year, despite high levels of education. When it comes to marginalization and homelessness, again good statistics are missing, but we know that among homeless youth, up to 40% identify as LGBTQ and many of those as gender variant.

When it comes to violence, we know the stories, even if, again, official statistics are not often collected. Police on the street will tell us who are the most vulnerable to violence, and that is the trans community, and within the trans community, those who are also visible minorities or aboriginal.

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In the United States, we know that so far this year 20 trans women have been murdered, 80% of them black. The Trans Day of Remembrance reports that worldwide 269 trans people have been murdered over the past year, including one death in Canada, that of a young Somali trans woman in Toronto.

The need to act is urgent. While most provinces have done so, there are significant areas of federal responsibility, whether that is in providing better protection against hate crimes; or addressing the dangerous federal corrections policy that places inmates in the wrong institutions and, thus, at great risk of violence; or ending discriminatory and humiliating Transport Canada screening processes; or making appropriate identity documents like passports easier to obtain. In fact, in most of these areas, there is no need for the federal government to wait for a bill to do the right thing. Nothing prevents government agencies from doing the right thing when it comes to trans rights, but we have seen these initiatives stall at the federal level. Passing this bill will ensure that stalling ends.

Over the past year, there could have been much more done to address the ongoing epidemic of hate crimes against trans Canadians and, in particular, against those most marginalized in our society, like aboriginal people and sex workers. Over the past year, there should have been more progress in changing discriminatory government policies.

Right now, some of the most innovative work is being done by school boards and at the community level. I want to recognize the work done by organizations like Gender Creative Kids in Montreal and the Montreal Children's Hospital's child development program, a gender-variance program, and the work of organizations like PFLAG.

Finally, I want to recognize the many courageous parents who are standing by their trans kids and fighting for the supports they need to succeed in this country.

Bill C-16 calls for us to act to provide the same rights and protections to transgender and gender-variant Canadians that the rest of us already enjoy, no more, no less. I am asking that we join together to do so expeditiously. P.E.I. passed its legislation in three weeks and British Columbia in a single day. There could never be a better time for the passage of inclusive legislation of which all Canadians can be proud, no better time than now.

As I asked in closing the debate in the House of Commons on Bill C-279, some three years ago, if not now, then when?

• (1110)

**Mr. Michael Levitt (York Centre, Lib.):** Madam Speaker, I want to thank the hon. member not just for his work on this bill, but also for his long-time position on this issue and the work he has done on it.

For young Canadians like Charlie Lowthian-Rickert, who is sitting up there and who stood with—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order, please. Members cannot talk about the people who are in the audience.

**Mr. Michael Levitt:** Madam Speaker, for those young Canadians who are struggling and have faced prejudice and discrimination and

the up to 20% of transgender Canadians who have been either physically or sexually assaulted, what difference is the bill going to make to them moving forward?

**Mr. Randall Garrison:** Madam Speaker, I thank the hon. member for his kind words and support for the bill. An anecdote that I can relate today is that each year I have been sponsoring a brunch for the International Day Against Homophobia. At the last brunch, we had parents who brought their kids there because they were looking for a place where their kids would be accepted and could find the support they needed. The bill is important not just symbolically, but realistically in making sure that all of our government programs make a place for those kids to have a successful future in this country.

• (1115)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I agree with the member for St. Albert—Edmonton that Bill C-16 does not actually add anything to the legal framework, but it does not take anything away either. One concern I have is that even with the existing laws that we have in the provinces and federally, we continue to see discrimination and persecution of transgendered people. Does the member believe that implementing Bill C-16 will really fix this problem?

**Mr. Randall Garrison:** Madam Speaker, I thank the hon. member for her question and I know her great sincerity in addressing this issue before the House. The simple answer is of course I do. It is not the total solution. Passing laws never solves everything, but passing a law like Bill C-16 is an expression of our collective will as Canadians to do better and our collective will to make sure that we are an inclusive society that leaves no one behind.

**Mr. Kennedy Stewart (Burnaby South, NDP):** Madam Speaker, I want to say how honoured I have been to sit beside my friend who has put all of this effort into a great cause. I would like to thank him for all of his efforts. Could he go through again and tell us a little about what he has done to get to this place today and how he sees this moving forward after the bill is passed?

**Mr. Randall Garrison:** Madam Speaker, I thank the member for Burnaby South for seconding my previous private member's bill and for his work on this issue. I want to say once again that it is not my work that has brought us to this place, but the work of very brave transgender Canadians who stepped forward to fight for their rights in public, to take cases to court, and to demand that organizations and institutions make way for all Canadians. It is not my work that we are here to celebrate today, nor the work of the Minister of Justice, nor the work of the House of Commons, but the work of transgender Canadians in stepping forward to be who they are. Indeed, in a famous quote, Oscar Wilde says that people should be who they are because everyone else is already taken.

[*Translation*]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Madam Speaker, my question is about the process.

*Government Orders*

Would it not have been beneficial to pass this bill much sooner? What are my colleague's thoughts on the parliamentary process that has us studying this bill again even though the House passed it at third reading during the previous session? Would it not have been better to pass the bill sooner and spend our time looking at other issues instead of continually revisiting the same issues because of a flawed parliamentary process?

[*English*]

**Mr. Randall Garrison:** Madam Speaker, obviously the hon. member is correct. I have been working on this for five years. It was first passed by the House six and a half years ago, and if there is a villain in this story, it is the unelected Senate which has twice failed to pass this law. This law could already have been in place in this country.

I hesitate to mount a great attack on the other place today because I have no idea how its members will deal with future government bills, but I hope they will deal with this expeditiously and respect the will of the House and make sure this becomes law as soon as possible.

[*Translation*]

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Madam Speaker, here is a boy, and here is a girl. Easy, right? Not so fast. Let us just say that it is a bit more complicated than that. Sex assignment is not always clear-cut. Genetically, a person with two X chromosomes is a woman, and a person with an X chromosome and a Y chromosome is a man. However, some people have just a single X chromosome, and others have three. Others have two or three X chromosomes and one Y chromosome, while still others might have two Y chromosomes and one X chromosome. Clearly, this is anything but simple.

The bill before us today, Bill C-16, makes no mention of genetics. However, it does address an equally complex subject, that of gender identity and gender expression.

As far back as the 1950s, we began to understand that a person cannot be defined merely by his or her physical sexual characteristics and to distinguish between “sex” and “gender”. In 1994, United States Supreme Court Justice Antonin Scalia wrote the following in a briefing:

• (1120)

[*English*]

The word gender has acquired the new and useful connotation of cultural or attitudinal characteristics (as opposed to physical characteristics) distinctive to the sexes. That is to say, gender is to sex as feminine is to female and masculine is to male.

[*Translation*]

Justice Scalia clearly states that “sex” and “gender” are two different things.

Transgendered individuals are people whose sexual identity does not correspond to the physical sexual characteristics with which they were born. They literally do not feel comfortable in their own skin, in the body nature gave them. They feel feminine, but have a male body, or they feel masculine, but have a female body.

With that in mind, it is easy to imagine the discrimination, prejudice, harassment, and violence these individuals are often

subjected to. A shy teen, a small man, and a kid with above-average intelligence are often harassed. Now imagine someone who is transgendered.

Statistics are an excellent way to illustrate the discrimination transgendered people are subjected to. In Ontario, for example, 71% of transgendered individuals earn less than \$30,000 a year. My colleague from Esquimalt—Saanich—Sooke provided some statistics earlier on poverty rates among transgendered people, and those figures were far more grim than what I just mentioned.

According to Egale Canada, 90% of transgendered students reported being bullied on a daily or weekly basis. That is a lot. In addition, a few months ago, a medical clinic in Montreal that performs gender-affirming surgery was targeted by arson.

The prejudice and violence are very real. That is why, over the past several years, the NDP has been introducing bills in the House of Commons of Canada to stand up for the rights of transgendered Canadians and protect them from discrimination.

The main purpose of these bills was to add protections to the Canadian Human Rights Act and the Criminal Code based on gender identity and gender expression. That is what Bill Siksay, the former NDP member for Burnaby—Douglas in British Columbia, did in 2005. Because he thought this cause was so important, he introduced the bill twice in the House of Commons, in 2006-07 and 2008-09.

This issue is so important to the NDP that my colleague from Esquimalt—Saanich—Sooke, who sits beside me, took up the torch and almost succeeded in having the bill passed in Parliament. The Green Party, the Bloc Québécois, and many Liberal and Conservative members voted in favour of it.

However, the unelected and unaccountable Senate decided to let the bill die on the Order Paper, even though it had been passed by members who were duly elected by Canadians.

As a result, after over 10 years of debate, these people, who are too often the victims of harassment and violence, still do not have any protection. The NDP is therefore pleased to see the government introduce Bill C-16. We have been asking for this for a long time. However, I am worried that this is just smoke and mirrors.

Since I am an optimist, I want to believe that the government really intends to protect this vulnerable segment of the population. After all, the last time, all of the Liberal members who were present for the vote voted in favour of Bill C-279, which was introduced by my colleague from Esquimalt—Saanich—Sooke.

However, this time, the context is different. Today, the Liberals form the government and hold a majority of seats in the House of Commons. They can therefore ensure that Bill C-16 is passed at second and third reading. I challenge them to do so.

*Government Orders*

The House has passed this bill twice already and the government can ensure that it passes quickly through all stages of the legislative process. Then there would be one remaining important stage, which, in my political party, we would be happy to do without. However, since the Senate still exists, we will have to work with it. I challenge the Liberals to talk to their Senate colleagues, those the Prime Minister kicked out of the Liberal caucus, but who still feel like Liberals, and to convince them that the changes that Bill C-16 makes to the Canadian Human Rights Act and the Criminal Code are just and important to transgendered people.

As far as my Conservative colleagues are concerned, during the March 2013 vote, 18 of them, including some cabinet ministers, supported a similar bill introduced by my NDP colleague from Esquimalt—Saanich—Sooke. Other members among their ranks, including their leader, recently said that they would support Bill C-16. I hope that many others will join them to ensure that this bill is finally passed.

I would hope that, as with the Liberals, these Conservative members who see the merits of this cause will work to ensure that their Senate colleagues do not allow this bill to die on the benches of the other place yet again. I think it would be a national disgrace if this bill is not passed.

Bill C-16 would add gender identity and gender expression to the list of prohibited grounds of discrimination in section 2 of the Canadian Human Rights Act. It would also amend the Criminal Code to include gender identity and gender expression as distinguishing characteristics protected under section 318, and as an aggravating circumstance to be taken into consideration under section 718.2, hate crimes, at the time of sentencing.

Since 1970, 948 transgendered people have been murdered around the world. This number is probably much higher, but most countries, including Canada, do not note the status of transgender in files involving violence.

Nevertheless, the evidence is clear: transgender people are victims of discrimination, prejudice, harassment, and violence. Therefore, it would be disgraceful to let down transgender Canadians once again. Trans and non-binary gender Canadians have been waiting for far too long to have legal rights in Canada.

Let us work together for this humanitarian cause and ensure that Bill C-16 passes quickly in the House of Commons and in committee, and just as quickly in the Senate, so that it becomes a law that Canadians can be proud of.

• (1125)

[*English*]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I have had the opportunity to listen to a number of speakers on the legislation thus far, and it is really encouraging to hear comments such as those made by the member across the way.

We recognize that over the years there has been a greater appreciation of transgender identity by all Canadians. That is an encouraging sign. We hear individuals talk about no tolerance with respect to bullying, hate speech, discrimination, and the importance of equal rights.

Could my colleague across the way provide her thoughts on the significant shift over the years toward a better understanding of equal rights for all?

• (1130)

[*Translation*]

**Ms. Marjolaine Boutin-Sweet:** Madam Speaker, I think the fact that the leader of the Conservative Party, of all people, is planning to support the bill is a sign that people's thinking changes for the better over time. However, sometimes our way of thinking needs a little nudge in the right direction. We have to amend our laws to reflect shifts in thinking because laws are subject to interpretation. We have to protect people by making sure there is less room for interpretation, less subjectivity in our laws.

We also have to help the general population understand trans people's experience and the day-to-day hardships they face. As I said earlier, 90% of trans students have to deal with problems on a daily or weekly basis. That is a lot. We have to make sure people know what kind of problems trans people face.

[*English*]

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I definitely support the need to eliminate discrimination against transgendered people. I also share the member's frustration with the Liberal government, and its tendency to talk a good story and then not take any actions.

I wonder if the member could say what actions she would like to see once Bill C-16 is enacted to make sure that it is most effective in eliminating this discrimination.

[*Translation*]

**Ms. Marjolaine Boutin-Sweet:** Madam Speaker, there are so many possibilities. Earlier, we talked about the poverty rate among trans people. It can be very difficult for a man who wants to become a woman or a woman who wants to become a man to pay for that kind of surgery. The government could help people cover the cost of medical services. That would make a big difference. Costs range from \$7,000 to \$20,000 and probably much more. How can anyone earning less than \$30,000 per year afford to spend \$20,000 on surgery?

That is one way the Canadian government can walk the talk, as my leader likes to say. The government has to make sure trans people have rights, but it also has to enable them to live their lives more easily.

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Madam Speaker, I congratulate my colleague for the work he has done on this issue over the past few years. I find it deplorable that we must vote once again on this issue. However, as a new MP, I am honoured to vote in favour of the bill.

*Government Orders*

In his speech, my colleague from Hochelaga mentioned that the Liberal government could act quickly on this file. As I am a new MP, I would like her to clarify for me what a government could do to “act quickly” on such a bill.

**Ms. Marjolaine Boutin-Sweet:** Madam Speaker, we could send the bill to committee right away, where it could be studied very quickly. One day would probably suffice. We already have many studies and evidence from many witnesses. We do not need more. We know the facts.

Therefore, we should send the bill to committee, debate it here at third reading, vote quickly, send it to the Senate, and convince our Liberal and Conservative senators to do the same thing.

[English]

**Hon. Patty Hajdu (Minister of Status of Women, Lib.):** Madam Speaker, I will be splitting my time with the member for Edmonton Centre.

[Translation]

I am pleased to participate in the debate on Bill C-16, an act to amend the Canadian Human Rights Act and the Criminal Code.

[English]

The bill is designed to support and facilitate the inclusion of transgender and other gender diverse people in Canadian society. Diversity and inclusion are values that are important to us as Canadians, yet we have heard repeatedly from trans and gender diverse Canadians that they still do not feel safe or fully included in Canadian society. Social science research also shows that many transgender and other gender diverse Canadians are not yet able to fully participate in our society. They face negative stereotypes, harassment, discrimination, and sometimes violence.

We know that discrimination and violence have significant impacts on social participation and an individual's sense of safety in the public sphere. Research conducted by the Trans Pulse survey found that approximately two-thirds of trans people in Ontario had avoided public spaces or situations because they feared being harassed or being perceived or outed as trans. The survey also indicated that the majority of trans Ontarians had avoided public washrooms because of these fears. Trans Ontarians also avoided travelling abroad, going to the gym, shopping at the mall, and eating out in restaurants, all commonplace everyday activities and pleasures that many of us are able to enjoy comfortably. However, for many trans people, these activities can be fearful because of their previous experiences of harassment and discrimination.

The research also shows that transgender or other gender diverse people face significant obstacles in obtaining employment. This is not due to a lack of qualifications. The Trans Pulse survey results I mentioned earlier showed that 44% have a post-secondary degree, but trans people are significantly underemployed, with many having been fired or turned down for a job because they are trans. Others felt that they had to turn down a job that they were offered because of a lack of a trans-positive or safe work environment.

It is clear that too many transgender and gender diverse people are being deprived of the opportunity to contribute to and flourish in our society. This is important not just for trans people but for us all. When a person loses an opportunity to work or is too fearful to go

out shopping or eat in a restaurant, we all lose a potential contribution to the workplace, to the economy, and to our collective social life. Discrimination is a matter of concern to us all. It both undermines the freedom of those individuals to make the life they are able and wish to have, and it deprives us all of their participation in our society.

The bill would be just the beginning but is an important beginning. It is another step toward greater acceptance and inclusion. By adding the grounds of gender identity and gender expression to the prohibited grounds of discrimination listed in sections 2 and 3 of the Canadian Human Rights Act, we would protect the freedom to live openly.

The amendments proposed by the bill would make it clear that discrimination in employment against trans people is unacceptable and a violation of the Canadian Human Rights Act. An employer cannot refuse to hire or promote a qualified individual simply because that person is trans or gender diverse. These amendments will make it clear that federally regulated employers and service providers will need to provide accommodation for transgender and other gender diverse individuals when required and treat them in a manner that corresponds with their lived gender. Explicit recognition will also serve to promote understanding and awareness about trans people and their rights.

I now want to address one of the amendments that the bill proposes to make to the Criminal Code, which is to expand the hate propaganda offences in the Criminal Code to protect those who are targeted because of their gender identity or gender expression. To put this proposal in context, it is useful to give some of the history of these offences.

There are three crimes of hate propaganda. They were created in 1970. These are now found in sections 318 and 319 of the Criminal Code. These offences are advocating or promoting genocide against an identifiable group, inciting hatred against an identifiable group in a public place that is likely to lead to a breach of the peace, and willfully promoting hatred, other than in private conversation, against an identifiable group.

● (1135)

As we can see, a key element for all of these offences is the term “identifiable group”. When the hate propaganda offences were first created and for many years afterward, the definition of identifiable group was very limited in scope. It was defined in the Criminal Code to mean a section of the public that was identifiable on the basis of race, colour, religion, and ethnic origin.



In 2001, the then member of Parliament for Burnaby—Douglas introduced in the House Bill C-415, later reinstated as Bill C-250, and entitled “An Act to amend the Criminal Code (hate propaganda)”. This bill proposed to add sexual orientation to the definition of identifiable group in the Criminal Code. The member quoted in support of his bill a statement made by the Supreme Court of Canada in the 1990 case of *R. v. Keegstra*, which upheld the constitutionality of the hate propaganda offence of wilfully promoting hatred against an identifiable group. The Supreme Court said:

The harms caused by [hate propaganda] run directly counter to the values central to a free and democratic society, and in restricting the promotion of hatred Parliament is therefore seeking to bolster the notion of mutual respect necessary in a nation which venerates the equality of all persons.

In 2004, Bill C-250 became law. As a result, the definition of identifiable group was expanded to include sexual orientation as an identifiable group for the crimes of hate propaganda.

I will now fast-track to 2014, when Bill C-13, the Protecting Canadians from Online Crime Act, received royal assent. One section of that bill amended the definition of identifiable group for the hate propaganda offences by adding more groups to that definition, specifically the criteria of national origin, sex, age, and mental or physical disability. As we have seen, the definition of identifiable group has been expanded considerably since 1970. This expansion reflects a commitment to equality and the desire of Canadians to protect more and more vulnerable groups in our society from the serious harms to human dignity that flow from the type of vicious hate speech prohibited by these Criminal Code provisions.

Bill C-16 proposes to add two new terms to the definition of identifiable group: gender identity and gender expression. Such an expansion is eminently justifiable on two grounds.

First, this expansion would extend to those in our society who are identifiable on the basis of gender identity and gender expression the same protections already afforded to other groups in Canadian society, such as those identifiable on the basis of their sex and sexual orientation. This would help to promote equality before the law and throughout Canadian society for trans people.

Second, this expansion would explicitly recognize that those who are identifiable on the basis of their gender identity and gender expression are in need of protection by the criminal law. For example, the Trans Pulse survey I mentioned earlier indicates that trans people are the targets of specifically directed violence; 20% had been physically or sexually assaulted for being trans, and another 34% had been verbally threatened or harassed but not assaulted.

Here in Canada, we criminalize hate propaganda, in part because it undermines the dignity and respect of the targeted group. It undermines their sense of belonging and inclusion in society. Adding gender identity and gender expression to the list would send a clear message that hate propaganda against trans and other gender diverse individuals is not acceptable.

● (1140)

[Translation]

I encourage all members of the House to support this bill.

### Government Orders

[English]

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Madam Speaker, I thank the hon. minister for her very important work on the elimination of violence against women and against transgendered people. In our status of women committee, we have heard a lot of testimony about how, even where adequate laws exist, they do not eliminate violence alone. What additional steps does the member believe the government needs to take to eliminate violence against transgendered people?

**Hon. Patty Hajdu:** Madam Speaker, it is an excellent question. I think that legislation is the leadership we need to demonstrate to our country that these rights are inalienable and that people have the right to live safely in their communities.

However, the hon. member makes a very good point. Leadership is the first step. The next step is to bring Canadians along with us to create a culture where we understand that diversity is our strength, that we are stronger because of our diversity not in spite of it, and that when people have an opportunity to thrive and live in their communities and contribute to their economies in fact all of Canada is stronger.

● (1145)

[Translation]

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Madam Speaker, I would like to thank my colleague for her speech.

As we heard earlier in this debate, the House has examined this issue for several years now. Witnesses have appeared before a committee.

Considering that this is the third time around for this bill, does my colleague not believe that the liberal government should expedite the committee's study to ensure that it is completed in one day and the bill returns to the House quickly, and then do what needs to be done for it to be passed by the Senate, which rejected it the last two times? This will ensure that rights are finally respected.

[English]

**Hon. Patty Hajdu:** Madam Speaker, I think we all want to see this legislation move forward quickly so that people, trans people, people of different gender identity and expression, have the same protections that other Canadians do.

I cannot speak to the committee's schedule, but what I can say is that it is this government's sincere desire to see this become law as soon as possible.

*Government Orders*

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, one of things I think we should try to pick up on is the importance of Ottawa playing a strong national leadership role on this whole issue. We know the provinces also have a role to play. By Ottawa taking action such as this, we are once again not only reinforcing a strong international leadership on such an important file, but we are also providing, I believe, the opportunity for provinces to look in terms of what is happening, because not all provinces are in fact the same. It is, in good part, a leadership issue also.

I ask if the minister would further comment on that.

**Hon. Patty Hajdu:** Madam Speaker, in fact, this is an important signal of leadership. When elected officials gather together and determine that a group of people deserves the same protections as all other Canadians, that is a strong indication of leadership. However, we are joining provinces that have made movement in this regard as well and are taking steps to ensure that those of us who are the most vulnerable, including people who have a different gender identity, have the right and the opportunity to live, contribute, and participate in their communities in fulsome ways. I think we are joining that work.

Absolutely, the question of leadership is an integral one. That is why we are so proud to be working on this issue today.

**Mr. Brad Trost (Saskatoon—University, CPC):** Madam Speaker, let me give a specific illustration in my question of why I will not be supporting the bill.

There was a rape counselling group in the Vancouver area that was hauled into the legal system because it refused to take, as a counsellor, a gentlemen who had transformed into a lady. The organization said it violated its principles. It only wanted someone to be a rape crisis counsellor whose entire life was as a woman.

Why should organizations like rape counselling organizations be discriminated against under legislation such as the government is proposing?

**Hon. Patty Hajdu:** Madam Speaker, I think the premise of the question is wrong. I think it instills the kind of fear that this bill is trying to combat. We have a role to play in showing and demonstrating to organizations across this country that this can be done, that this can be done well. It is happening in my province of Ontario. I am so proud of a province that has taken steps to mandate this in its provincial organizations; I am proud that accommodation is provided and that people are supported through their journey.

I reject the premise of the question.

**Mr. Randy Boissonnault (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.):** Madam Speaker, Tuesday May 17 was an important day. It was the International Day Against Homophobia and Transphobia. It was a day to recognize the efforts of everyone who has fought for equality, freedom, and respect for gay, lesbian, bisexual, transgender, intersex, non-binary, and two-spirited persons. It was a day to celebrate the achievements of advocates and their friends and supporters in making Canada a more inclusive place in which to live. It was a day to look forward to a

time when all societies embrace their diversity and draw strength and vibrancy from it.

May 17 was also the day on which the Minister of Justice introduced Bill C-16 to the House of Commons. The legislation proposes to amend the Canadian Human Rights Act to add two prohibited grounds of discrimination, gender identity and gender expression. As a result of this amendment, it would be a discriminatory practice in matters of employment and the provision of goods, services, facilities, and accommodation, in the federal jurisdiction, to disadvantage people because of their gender identity or expression.

The legislation also proposes to amend the Criminal Code. It would expand the list of identifiable groups that are protected from hate propaganda by adding gender identity or expression to that list. Finally, it would make it explicit that hatred on the basis of gender identity or expression should be considered an aggravating factor in sentencing for a criminal offence. These are very important amendments.

The Canadian Human Rights Act advances the principle that all individuals should have an equal opportunity to make for themselves the lives that they are able and wish to have, without being hindered by discrimination. All Canadians should be able to turn to the act and see their rights and obligations spelled out clearly. However, it is not evident from the current words of the act that trans and gender diverse persons have a right to equal treatment.

It is true that the Canadian Human Rights Tribunal has interpreted the act to prohibit discrimination against trans persons in some cases, but these interpretations are not easily accessible to the trans community, employers, or service providers who need to know whom the act protects. Moreover, these decisions concern particular individuals in particular situations. The full scope of protection for trans and gender diverse persons is not clear, particularly in relation to gender expression.

Gender expression refers to the ways in which people express their gender through choices such as clothing, personal appearance, name, use of pronouns, and other forms of expression. Adding this ground to the Canadian Human Rights Act would offer clear protection against discrimination by employers and service providers who would deny Canadians their dignity simply because they express their gender differently.

Trans people who have been discriminated against should not have to become expert in statutory interpretation or criminal law to advocate for their basic rights. It is not enough to hope that employers and service providers will look beyond the words of the act. As the bill proposes, Parliament should add these grounds to the Canadian Human Rights Act, as well as the Criminal Code, so they would be in the statute book for all to see.

Make no mistake, there is no doubt that trans or gender diverse persons face an elevated risk of violence at the hands of others. The Trans Pulse project studied the experiences of approximately 500 transgendered Ontarians. That study concluded the following:

Trans people are the targets of specifically directed violence; 20% had been physically or sexually assaulted for being trans, and another 34% had been verbally threatened or harassed....

*Government Orders*

In 2011, a study by Egale Canada indicated very high levels of verbal, physical, and sexual harassment against transgendered persons.

Transgendered Canadians are often discriminated against by their own family members. No group of people should be exposed to that kind of daily threat. Given the high levels of violence and threats of violence against trans people, it is clear that our laws require measures to specifically denounce the violence and discrimination inflicted on the individuals because of hatred of their gender identity or gender expression.

● (1150)

[*Translation*]

Our duty as parliamentarians goes beyond simply maintaining the good order set out in legislation. Canadians expect us to speak on their behalf, recognize their qualities and vulnerabilities, as well as affirm and protect their basic rights and their dignity.

This bill is not only an opportunity for us to reinforce our support for transgendered Canadians, but also an opportunity for the House to send a clear message to all Canadians that they can now feel safe and free to be themselves.

On May 17, when I stood beside the Minister of Justice to announce this legislation, we were joined by people who were well aware of the need for this bill.

[*English*]

They, and we, saw in this bill a real sign of acceptance and unity. This bill says to every transgender and gender-diverse person that they do not need to choose between being safe and being who they are. This bill says to young people in all parts of this country who are struggling to understand themselves, who are realizing that they are a bit different from their peers, that it is okay to be different and that they are special, that they are unique, and that they belong.

This bill sends a clear signal to our transgender and gender-diverse community members that the government will not stand for discrimination and that we stand with them, shoulder to shoulder. For any members of this House who may be considering voting no on this important legislation, I must ask why. This bill is about equality. It is about respect for diversity. Even if they cannot fully understand the lives of our transgender community, surely they can understand that no group of people should live under such threat of violence in our country.

● (1155)

[*Translation*]

I appeal to each and every one of my colleagues in the House to support this important issue.

[*English*]

I stand with all trans and gender-diverse persons, and I call on this House to affirm their equal status in Canada, and I will fight every day to ensure they are protected and free to live their lives safely and free from fear. I do so as a member of this House who is a proud, openly gay man. I was able to earn a place in this House because of the hard work of those who went before me who stood to be counted, people who stood up to discrimination, who fought for individual

rights, who stood for inclusivity and acceptance, who were bullied, and against whom the laws discriminated in the past.

Today, I and we stand shoulder to shoulder with the trans community to say, “No more”, and that we will continue to fight and stand up for those who still need our protection.

To conclude, the proposed changes to the Canadian Human Rights Act and the Criminal Code's sentencing provisions would help to create a better and safer Canada that is inclusive of all forms of diversity. I urge all members of this House to support the passage of this important bill.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Madam Speaker, the question I would ask is in terms of actual law or even the importance of the symbolism of this debate and this law, in terms of affirming the rights of individuals to be protected from intimidation and violence.

I was at a high school last week in Timmins talking with young people. They talked about transgender rights in the school. I was fascinated by that, because I remember my high school years. I remember the violence, the bullying, and the shame, and what we saw on a day-to-day basis, against any young person who was considered to be potentially gay or was not manly enough or not girly enough, the kind of abuse that young people were subjected to. People I have known in my community have committed suicide from that kind of abuse.

What we are called to do in this Parliament is to affirm the importance of people, the importance of people making the choices they need to make and should be able to make.

Beyond the actual legal implications of this bill, there is the symbolism of the Parliament of Canada standing together and saying that transgendered people will be welcomed, they will be loved, they will be affirmed. What does my hon. colleague think of this?

[*Translation*]

**Mr. Randy Boissonnault:** Madam Speaker, I thank my hon. colleague for his question.

[*English*]

In Canada, a nation built around the rule of law, there is no higher deliberative or legislative body than this august chamber that decides on the laws of the land, that talks about and speaks to freedom and liberty, and that from the highest offices of the land says that people of all races, religions, creeds, sexual orientation, and, soon I hope, gender expression belong.

I grew up in a time when, if the shirt I was wearing was a little too bright, I would walk down the halls of my university and everybody would say, “It smells like gay.”

We would have a day where we would be supporting the LGBTQ people on campus, and half the campus would make sure that they did not wear jeans that day, the kind of jeans they would wear every other day of the year.

The world has changed. The laws in our country have moved forward.

*Government Orders*

To my hon. colleague's question, when this august chamber passed laws to allow marriage equality, I knew for the first time in my country that I belonged. What we do here matters. This bill matters. Transgender people matter.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I appreciate my colleague's comments and the powerful way he expressed himself on such an important issue.

I will pick up on one of his comments. As things have changed, one thing I have noticed over the years is the concept of zero tolerance toward bullying and inappropriate behaviour and how important it is that we recognize that discrimination does exist today in a very real and tangible way. Could my colleague comment on the change he has seen in Canadian tolerance and toward a more aggressive and stronger leadership on protecting the rights of all individuals?

•(1200)

**Mr. Randy Boissonnault:** Madam Speaker, the beauty of Canada is that we live in a pluralistic society. If we trace our roots back to the founding peoples, the indigenous peoples who welcomed European settlers here, and the social contract that we built with the English and French, and then later official bilingualism, which led to official multiculturalism and this amazing society we have, we are a rights-based society. We are a human rights-based society. We have extended rights through the LGBTQ community, but we still have more work to do on the "T" in that acronym.

Transgender people are some of the most vulnerable, marginalized, misunderstood people in our society. I would say to my hon. colleague, which he and many in the chamber indeed know, that we are moving beyond tolerance to acceptance. That is why this law is so important.

[*Translation*]

**Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC):** Madam Speaker, I will be sharing my time with the member for Thornhill.

I rise today to speak to Bill C-16, which I believe is an important legislative measure to prevent all forms of discrimination against all Canadians, regardless of their colour, religion, sexual orientation, or gender identity and expression, and that includes transgendered Canadians.

Over the years, a great deal of progress has been made in terms of social acceptance and our mentality has changed. What seemed unimaginable 20 years ago is now a normal part of our everyday lives.

We are less focused on individual characteristics and more focused on who we are as a society. Society is made up of different people and different personalities.

I am going to give a simple analogy to describe social progress. Social progress works the same way as a three-legged race. If people walk in step and agree to work together, the team makes progress.

Every member of the House is different, has their own story and their own path. Every one of us has dealt with different situations

and we all react differently. Our differences should never stop progress, but instead allow it to take flight.

Justice is extremely important to me. That is why I think it is important to have an open and respectful discussion on this. My mindset is to live and let live. My personal experience forced me to be open to realities other than my own, which led me to be open to differences. At first we are confronted by and conflicted about the unfamiliar, but over time we learn, try to understand, and do not judge.

As my father used to say, never judge anyone until you have walked in their shoes. He was right. We were elected by secret ballot. We do not know the identity of those who voted for us. That is another reason for us to govern for all Canadians by ensuring that respect and equality prevail.

Canada, our country, my country, has always been and continues to be a leader when it comes to progress and individual rights. I could not be prouder of my country, Canada, when it comes to social progress. Canada leads the world in terms of fostering social acceptance and reducing crime and hate speech on its own soil.

Women won the right to vote 100 years ago under the Conservative government of Robert Borden; people from all origins have been welcomed to our country every year for centuries; and gay marriage was legalized over 10 years ago. It has always been a priority to protect minorities to make it easier for them to be included in society. We must continue the trend and protect people of all gender identities, so that they can be an important part of our society and contribute to it without enduring prejudice or disparaging and intolerant remarks.

In 1982, the Constitution Act guaranteed a number of rights, including democratic rights, equality rights, legal rights, and especially the fundamental freedom of opinion and expression. Some will say that freedom of expression should be taken for everything it means. I agree, but let us go over the meaning of each of those words.

The word "expression" amounts to saying or writing what we really think and feel. The word "freedom" is about the absence of submissiveness and the ability to do as we wish.

•(1205)

However, freedom does not mean the absence of barriers, obstacles, or limits. Freedom of expression, like all the freedoms we enjoy, must include lines in the sand that must not be crossed. For instance, we all have the right to drive, but that does not give us the right to speed and put the lives of others at risk. We also have the right to smoke, but we cannot do so in restaurants, because it jeopardizes the health of those around us. The same is true of freedom.

*Government Orders*

Basically, we are free to do as we please, as long as it does not harm other people around us. I recognize, however, that it is hard to set limits around freedom, because it cannot be measured; it is not black and white. That is why I am so glad we are having this kind of debate in the House today.

I will be voting for this bill in the name of equality and respect for the individual rights of all people. As a Conservative, I represent people who advocate for maintaining law and order. I sincerely believe that in a world where people respect one another, society can make better progress.

**Mr. Randy Boissonnault (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.):** Mr. Speaker, I would like to thank my hon. colleague for his speech.

I am an openly gay man and an MP from Alberta, and I know that Quebec has a very open and tolerant society.

According to my dear colleague, the member for Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, why is it important for the House to expand human rights to include the rights of transgendered people?

**Mrs. Sylvie Boucher:** Mr. Speaker, I would like to thank my Alberta colleague for his question.

As the daughter of a prison warden and correctional officer, and the granddaughter of a police chief, I believe that all Canadians have the right to be respected. It is not for me to judge them. Everyone on Canadian soil should have the same legal rights. That is why I will be voting in favour of this bill.

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Mr. Speaker, I thank my colleague for her very open speech and for sharing with us the values and experiences that led her to take the position that she has.

As members said earlier in the debate, this will not be the first time that the House of Commons has passed a similar bill. Unfortunately, these bills keep getting blocked by the Senate.

What steps will my colleague take to convince as many of her colleagues as possible and the Conservatives in the Senate to vote in favour of this bill?

• (1210)

**Mrs. Sylvie Boucher:** Mr. Speaker, I would like to thank my NDP colleague for her question.

I think it is important to respect my colleagues. We can have different ideas, but we must respect one another.

I hope that the Senate will be as open as we are in the House of Commons. I know that some people will vote against this bill and that is okay because we live in a democratic society.

However, I hope that they will take into consideration the number one priority in developing a bill such as this, and that is justice for all. I think that is very important because everyone in Canada should be equal before the law, regardless of their sexual orientation, or whether they are transgendered, heterosexual, black, white, or Asian.

**Mr. Randy Boissonnault:** Mr. Speaker, there was a time not so long ago when I myself was discriminated against by our own government and our country.

Since we will be called upon to vote on this bill, what can we do as MPs to ensure that people feel a genuine sense of belonging to the country and that they feel at home here?

**Mrs. Sylvie Boucher:** Mr. Speaker, I would have a hard time answering that in one sentence.

I will talk about what I have learned. I used to be very intolerant, but certain experiences have made me realize that people need to be taught about difference. Our differences do not make us better or worse than others; they simply make us different.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, I thank my colleague for her speech.

[*English*]

I rise today as well to speak to Bill C-16, a government bill that proposes to amend the Canadian Human Rights Act and the Criminal Code.

As the minister's summary of the bill reads:

This enactment amends the Canadian Human Rights Act to add gender identity and gender expression to the list of prohibited grounds of discrimination.

The enactment also amends the Criminal Code to extend the protection against hate propaganda set out in that Act to any section of the public that is distinguished by gender identity or expression and to clearly set out that evidence that an offence was motivated by bias, prejudice or hate based on gender identity or expression constitutes an aggravating circumstance that a court must take into consideration when it imposes a sentence.

My colleagues will recall that these essential elements of the bill descend from the last Parliament where they were essentially contained in a private member's Bill C-279. Members will also recall that the bill was passed on to the upper house, with 149 votes in favour and 137 votes against. However, the bill died on the red chamber's order paper.

I voted against Bill C-279, on March 20, 2013, and I will vote against the successor legislation, Bill C-16, as well. I am pleased to have this opportunity to explain why.

I am passionately in favour of the legal protection of all Canadians from discrimination in its many forms. I am passionately in favour of the legal protection of all Canadians from hate crimes. I am proud of the laws that have evolved over the years, and the reality that Canada is recognized around the world for our recognition of diversity and equality under the law.

I am proud that the current Canadian Human Rights Act defends the principle, when it states:

...that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

I am proud of the Criminal Code as written today, which defines that "...identifiable group means any section of the public distinguished by colour, race, religion, national or ethnic origin, age, sex, sexual orientation, or mental or physical disability".

*Government Orders*

As well, the Criminal Code provides in section 718.2, states:

A court that imposes a sentence shall also take into consideration the following principles:

...a sentence should be increased or reduced to account for any relevant aggravating or mitigating circumstances relating to the offence or the offender... [on] evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor...

When the original version of the bill was debated in the previous Parliament, the then parliamentary secretary for the minister of justice, Mr. Robert Goguen, eloquently explained the redundancy of the similar proposed amendments to include gender identity or expression. He reminded parliamentarians that the Canadian Human Rights Tribunal had already accepted and considered a number of complaints brought by trans persons on the grounds of sex. In fact, Mr. Goguen argued that the ground of sex in any discrimination law was interpreted broadly, having evolved over the years, and was usually understood to cover discrimination complaints not based only on sex, but on pregnancy, childbirth, and transsexualism.

• (1215)

The examples of tribunal use of the existing grounds already in the act provided clear and consistent evidence that the existing Human Rights Act already recognized that discrimination on the basis of transsexualism was discrimination on the basis of sex or gender, as well as discrimination on the basis of disability.

The parliamentary secretary to the justice minister then said:

For similar reasons, we may wish to ask ourselves whether it is necessary to add these grounds to the sentencing provisions of the Criminal Code. The section in question lists a number of deemed aggravating circumstances on sentencing, including evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability or any other similar factor. Again, the list includes sex, and it also refers to any other similar factor. Consequently, judges may already be able to impose longer sentences for hate crimes against transsexual persons in appropriate circumstances.

I think it is clear, for all of the reasons cited today, that the amendments to both the Canadian Human Rights Act and the Criminal Code are unnecessary.

Let me stress again that I am passionately in favour of the legal protection of all Canadians from hate crimes. I am proud of the laws that have evolved over the years, and the reality that Canada is recognized around the world for our recognition of diversity equality. I am proud of the work done by fellow colleagues in the House to respect, protect, and improve the lot of trans persons in Canadian society.

I believe, firmly and sympathetically, that trans persons facing discrimination in federally regulated work places and in accessing federally regulated services are already protected by the current act and the code. I also firmly believe that the amendments proposed in Bill C-16 are redundant and unnecessary, and I will respectfully oppose this bill.

• (1220)

**Mr. Randy Boissonnault (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.):** Mr. Speaker, I thank the hon. member for his work on human rights, and for his comments on the bill.

As an openly gay member of Parliament for Edmonton Centre and having watched the marriage debate with great personal interest, without the leadership of the House and of civil society, I might still be waiting for the legal opportunity to marry the person who I most love in this world.

The bill before us today is not talking about redundancies. It is helping people see themselves as protected by the full extent of the law. While the hon. member may think the amendments are redundant, transgender people certainly do not consider themselves to be redundant.

Therefore, my question to the hon. member is this. Where is the harm in extending these words in the code and in the act?

**Hon. Peter Kent:** Mr. Speaker, I respect the point of view and the circumstances over which my hon. colleague has prevailed. I am delighted that the laws of Canada have evolved and come to respect equality fully across the sexes and sexual orientation.

I am not a lawyer, but by my simple reading of the Human Rights Act and the Criminal Code, I see therein many grounds on which the Canadian government and the Human Rights Tribunal would find discrimination unacceptable, not only with respect to sex, which is a general ground, but with respect to race and religion.

With respect to race and religion, we know that some religions face greater discrimination, disrespect and hate than others, but there has been no move to include specificity for those religions or other races. The Human Rights Tribunal and the courts of Canada have proven time and again that the sex and sexual orientation grounds in the Human Rights Act and the Criminal Code cover all of those possible grounds for discrimination and hate.

I believe these improvements to the law, these amendments, are redundant and unnecessary.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Mr. Speaker, I thank the member for Thornhill for the seriousness and respect with which he approaches all issues in the House, even though we quite often find ourselves on opposite sides.

With respect, I would submit that he is missing the point with the redundancy argument, and that is that while some cases have indeed succeeded by arguing that the discrimination transgender people face is like sex discrimination or like a disability, what the Canadian Human Rights Tribunal and the Canadian Human Rights Commission both said is that there is a distinct possibility of cases failing because they are not like sex discrimination or they are not like a disability. It is easy for most of us to see that discrimination against, for instance, a trans woman is not the same as discrimination against a woman. There are many aspects in which they will be different.

What we heard from both of those organizations is that yes, while some cases have succeeded, there is a gap, and in the future, these cases might fail.

*Government Orders*

**Hon. Peter Kent:** Mr. Speaker, I must say that there is mutual respect for my colleague's contribution to the House, to human rights, and to this particular issue.

What we see here and have seen in the past, and have certainly seen with regard to the enforcement of the existing provisions in both the Canadian Human Rights Act and the Criminal Code, is that very often both police services and the courts need to be better educated to be able to identify and discriminate, in a positive sense, between the offences that are covered in generality. When I argue on the grounds of redundancy and specificity, I am arguing that we could create for what is already a significant piece of both Criminal Code legislation and Canadian Human Rights Act content a much more ponderous set of regulations and laws to protect all Canadians.

I would suggest that while society itself needs to be better informed, broadly, the courts and human rights tribunals themselves have to recognize exactly the points you recognized regarding discrimination and hate against trans persons.

•(1225)

**The Assistant Deputy Speaker (Mr. Anthony Rota):** I am sure the member meant the member for Esquimalt—Saanich—Sooke, not the Speaker. I am sure that everyone understood that.

Resuming debate, the hon. Parliamentary Secretary to the Prime Minister.

**Mrs. Celina Caesar-Chavannes (Parliamentary Secretary to the Prime Minister, Lib.):** Mr. Speaker, I will be splitting my time with the member for Richmond Hill today.

I am very honoured to stand here today to support Bill C-16, which aims to amend both the Canadian Human Rights Act and the Criminal Code to add gender identity and expression to the list of prohibited grounds for discrimination.

Canadians rightly expect their government, and their laws, to respect their fundamental values. It is something Canada does very well on so many fronts, but we all know that we can do better.

I am very pleased to be here today to talk about why I believe that this bill will do a great service for Canadians by bringing our current legislation more in line with some of the values we hold dear.

We, as Canadians, are fortunate to live in a country that embraces diversity. We see diversity as a strength and are rightly proud to celebrate those from all walks of life who contribute to the Canadian tapestry and our society.

We also know that diversity in our society did not happen by accident. The extension and protection of rights has been a work in progress for more than half a century. The two items we are here to discuss amending today, the Canadian Human Rights Act and the hate speech section of the Criminal Code, are fundamental to that work.

The changes proposed today are another step toward our goal of being a society free from bias and discrimination and in which every Canadian is valued and protected. The Canadian Human Rights Act, in conjunction with human rights legislation provincially and territorially, has played, and continues to play, a fundamental role in ensuring that Canadians, regardless of sex, race, religion, sexual

orientation, or other grounds, can participate fully and equally in all aspects of Canadian life.

Unfortunately, we know that trans and gender-diverse persons have been, and continue to be, disproportionately impacted by discrimination and hate crimes. This, quite simply, is unacceptable.

We can, and we must, do more to ensure that gender-diverse Canadians are free from discrimination and are protected from hate propaganda and hate crimes. Bill C-16 would be critical in addressing the real and dangerous discrimination faced by gender-diverse and transgender individuals.

I would first like to speak about the amendments this bill would make to the Canadian Human Rights Act. The act is crucial in ensuring that Canadians have equal opportunities to live, work, and carry out their daily lives without discrimination, but it is not working for everyone. In a 2010 survey of 500 transgender individuals in Ontario, 13% of respondents indicated that they had been fired, and 18% were refused employment based upon their transgender status.

Again, this is unacceptable.

By adding gender expression and gender identity to the list of prohibited discriminatory grounds, we would make sure that all Canadians, regardless of gender identity, would have equal opportunities to participate in every facet of Canadian life.

Inclusion of gender identity as prohibited grounds for discrimination would be much more than just words on paper. It would provide individuals who have complaints with access to the Canadian Human Rights Tribunal. It would provide a fair and comprehensive process to ensure the protection of their rights and an opportunity for redress in cases where those rights were not respected.

It is my steadfast belief that when we extend and protect the rights of some Canadians, we do a great service not for just those individuals but for all Canadians.

Respect for human rights is so fundamental to who we are as Canadians that whenever we can act to do better to protect and enshrine rights in this country, we have a duty to do so.

•(1230)

Bill C-16 would also make important amendments to the Criminal Code to add gender expression and identity to the list of distinguishing characteristics of an identifiable group to ensure greater protection from hate speech and crimes motivated by hate.

The same survey I referenced earlier found that 20% of transgender individuals who responded had been physically and sexually assaulted, and far too many of these crimes were not reported to police.

*Government Orders*

Violence and hateful propaganda must never be tolerated in a fair and peaceful country like Canada, but when those crimes are motivated by hatred of specific or identifiable groups, it is incumbent upon us to do more to protect those targeted individuals and to hold the people accountable for their actions. The amendments to the Criminal Code proposed in this bill would provide increased protections for gender-diverse individuals and would permit longer sentences in cases where a crime was motivated by bias, prejudice, or hate.

We are under no illusion that the changes in the bill will end all discrimination against transgender and diverse populations, but it is an important step, one that builds on the advocacy work that those in the LGBTQ+ community and their allies have done for many years. I am proud that the Government of Canada is now catching up. These changes would put in place fundamental protections needed to ensure a basic level of protection.

There is more we can do. We must ensure equity for gender-diverse Canadians, but it starts with ensuring their inclusion in the Criminal Code.

On a personal note, it is particularly important to me to speak today to the bill, because as a black person and as a woman, there have been periods in Canadian history when people who look like me were not viewed as persons. During Women's History Month, and particularly today, on Persons Day, it is important to recognize this. I am a generation removed from those fights, so I recognize that the privilege given to me to serve in the House of Commons requires me, it is my duty, to do all I can to help extend those rights to all.

Further, I have three children at home, and in everything I do I cannot help but think about how it will affect their lives. It is important to me that they know that they are growing up in a Canada where same-sex marriage is the law of the land. This particular bill is a further extension of the values we hold dear and the values my children, as young as they are, hold very dear.

I hope that 20 years from now, there will be a generation of children for whom the idea of discrimination based on gender identity, or any other discrimination, is unthinkable. Bill C-16 is critical in making that a reality.

I would like to commend my colleague, the hon. Minister of Justice, for her hard work on this file. Her obvious commitment to diversity and inclusion is an example to all of us in the chamber. I want to thank her for her leadership. I am proud to stand with her today in supporting this legislation, and I encourage all my colleagues in the House to do the same.

• (1235)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, one of the concerns I have about the implementation of Bill C-16 is based on testimony we recently heard at the status of women committee in our study on violence against women. In this testimony, we heard that in one location, 40% of the women who showed up at the police station claiming to have been sexually assaulted were turned away at the door.

How will the government ensure that Bill C-16, if supported, will be rolled out in a way that will take reports of discrimination or violence against transgendered people seriously?

**Mrs. Celina Caesar-Chavannes:** Mr. Speaker, violence on any level is unacceptable. Bill C-16 would ensure that there are adequate protections for transgendered individuals in our legislation.

When our diverse communities know that they have grounds to stand on that are actually written in our Criminal Code and in our Canadian Human Rights Act, they are empowered to say, when they get to that door and are turned away or are not treated in a respectful way that pays attention to their injustice, that they have grounds to stand on. They can fight with others who are their allies to ensure that it never happens to anyone else in the future.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I want to thank my hon. colleague from Esquimalt—Saanich—Sooke and Bill Siksay, who led this fight many years before. Bill Siksay taught me a lot because it was in the same sex marriage debate that Bill Siksay's speech on giving young queer kids a sense of hope really struck home. It made me realize the importance of standing up to vote.

When I said I would vote for those rights, I was targeted. The diocese in the region I represent told me that I would be denied communion in the church that I worked in, that I helped the kids in, that I ran the choir in. My children stopped going to church because of the attacks from the pulpit. A press release was sent out by the diocese to have me defeated in the next election if I did not change my vote.

However, I believed that the vote and standing up for individual rights was important. I never talk about that time at all, but I tell it here because what made me come through that period so strongly were the so many religious people who said that they believed in gender and gay equality and believed in caring for each other, the priests who stopped their cars on the streets and hugged me, the nuns who called me, the ordinary lay people who said that we could be better than being fearful. I went back to my riding after that period expecting this supposed blowback but it was not there. People told me I had done the right thing because when we stand on conscience we always stand on solid ground.

I would like to ask my hon. colleague what kind of message she thinks the bill will send to the next generation of young people who need to be affirmed. That is the role of what we are doing in Parliament. We are standing up and saying these young people are valued, they are loved, and they have a place in the heart of Canadian society. What does my colleague think about the symbolism of what we are doing?

**Mrs. Celina Caesar-Chavannes:** Mr. Speaker, I first want to say that I empathize with my colleague on some of the stories that he related. When I think about my own children and in delivering the speech and standing before the House and supporting the bill, I think about myself as a mom and the message I want to send about inclusion and valuing people. We are all just people and when we start to say that some things are unacceptable for some people and some things are acceptable for others, that is absolute nonsense.



*Government Orders*

Today we take a step forward to make sure that these rights and protections are in legislation. That sends a message to our young people that when it is time to fight for those who oftentimes cannot fight for themselves, we need to step up. If I do not step up, I will be doing a disservice to my own children but to many other generations of children to follow.

• (1240)

**Mr. Majid Jowhari (Richmond Hill, Lib.):** Mr. Speaker, I take great pride in having the opportunity to participate in this debate and lend my support on such an important and much-awaited bill, Bill C-16, an act to amend the Canadian Human Rights Act and the Criminal Code.

The bill proposes to amend the Canadian Human Rights Act to add gender identity or gender expression to the list of prohibited grounds for discrimination. It also would amend the Criminal Code to add gender identity or expression to the definition of identifiable group for the purpose of the hate propaganda offences and to the list of aggravating circumstances for hate crime sentencing. Furthermore, it would allow longer sentences for criminal offenders motivated by hate based on gender identity or gender expression.

In simple words, the bill would recognize that trans individuals are equally deserving of protection from discrimination based on gender identity as are all Canadians protected from discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and conviction of an offence for which a pardon has been granted.

I am also proud that it is a Liberal government proposing the bill, just as it was a Liberal government in 1996 that amended the Canadian Human Rights Act to include sexual orientation in this list. It has been 20 years since that aspect of Canada's human rights act was amended. It is now 2016, and it is time that we modernize our laws to truly reflect our society and our diversity. Of course, I strongly acknowledge and commend my NDP colleagues for their leadership in the previous session in the promotion and raising awareness of these gaps in our legislation to the House.

As has previously, repeatedly been mentioned and is certainly a point worth reiterating, trans and gender diverse persons have been disproportionately impacted by discrimination and hate crimes. A survey conducted by Trans Pulse project in 2010 showed that out of 500 transgendered respondents in Ontario, 13% had been fired and 18% were refused employment based on transgendered status. Twenty per cent had been physically or sexually assaulted, but unfortunately not all of these assaults were reported to the police.

It does not stop there. Trans individuals also face daily bullying at home, in school, in the streets, in malls, and in many other places. According to a large-scale survey of LGBTQ across Canada conducted by Egale Canada, 68% of trans students reported being verbally harassed about their perceived gender identity; 49% of the trans students have experienced sexual harassment in school in the last year, as of 2011; and 90% of trans youth reported hearing transphobic comments daily directed at them, but what is sad is that 20% of these students reported hearing some of these comments from the teachers.

In passing the legislation we would not only show transgender and gender diverse individuals that they do deserve protection, that they

are recognized by our government, and that our country's legislation does protect and represent all Canadians regardless of their gender identity or expression. As well, by enshrining trans and gender diverse individuals as a separate recognized group in our law, law enforcement agencies would be better able to carry out their duties.

• (1245)

Let me explain. As it stands, our law enforcement personnel are not as properly trained to understand and respond to crimes related to gender identity as they should be. Furthermore, because there is no separate recognition of trans and gender diverse persons in our legislation, it also means that we lack the appropriate data from our government to have a better understanding of the depth of the problem in our society. Without this understanding and without data, it will be difficult to appropriately address the issue.

Additionally, the impact of hate crimes and bullying does not end at the point at which the act has ended. The impact has far more severe ramifications on the mental health of the victims. In a survey conducted by Trans Pulse in Ontario in 2014, it was reported that of those who have experienced physical assault, 56% have seriously considered suicide and 29% have attempted suicide. In the same survey, 35% of those that have faced verbal abuse seriously considered suicide, compared to 8% who attempted suicide. What is concerning is that 28% of individuals have seriously considered and 4% attempted suicide even though they have not been subject to physical nor verbal abuse.

What this suggests is that mental health issues are rampant amongst this segment of the population in Canada. We must act now to address these issues. Today, we are taking the first step in introducing the legislation. However, in the future, further steps must be taken, which will be facilitated by the passing of the bill. These steps would include providing adequate training to our health care providers to assess and quickly react to possible mental health trigger warning signs, to identify the root causes of mental health issues, and to assist victims in finding appropriate recourse through the law.

Next steps would be promotional and advocacy campaigns that raise awareness of these issues, that provide adequate training to all stakeholders in question, and that show trans and gender diverse Canadians that they are included, respected, protected, and cared for.

I am proud to come from a riding that has already enshrined gender expression and gender identity in its policy. For instance, in 2014, Richmond Hill, through its employment accommodation procedure, aligned its employment policy with the Ontario Human Rights Code and included gender identity and gender expression under the definition of protected groups, whereby individuals from the trans and gender diverse population can seek recourse for employment discrimination through this policy.

*Government Orders*

Ontario has adopted such a bill into its legislation. Richmond Hill has adopted such a policy into its regulations. It is time for the federal government to follow suit. I look forward to being part of a society that is tolerant and inclusive, achieved by passing a bill that seeks to achieve just that.

I encourage all my colleagues to support the bill.

**Mr. Kennedy Stewart (Burnaby South, NDP):** Mr. Speaker, I would like to applaud my colleague for his speech. This is a very important day here in the House of Commons.

I wonder if the member could perhaps add some personal flavour to his speech, and tell us of trans folks that he knows and some of the struggles they have gone through.

• (1250)

**Mr. Majid Jowhari:** Mr. Speaker, I know a lot of members of our society who are in that process of self-identifying or being labelled as transgender. I became familiar with that at the early stage of my upbringing because of some of my friends. I also had friends during high school and university who had struggled with that.

However, let me share something that really brings the whole point of why we are doing this. There are two serious points. One is the point of alignment. The other is to ensure that those who are unsure about what stage they are in the process feel protected if they come out and ask for help. From an alignment point of view, this brings the alignment at all levels. I talked about my riding of Richmond Hill and how proud I am. I talked about Ontario. It is time for the federal government to join that alignment.

Because this is about transgender, because it is about a spectrum that individuals find themselves in and need to go through the process to become comfortable with it, we need to provide an environment in which individuals feel that comfort and protection.

**Mrs. Celina Caesar-Chavannes (Parliamentary Secretary to the Prime Minister, Lib.):** Mr. Speaker, I want to thank the member for Richmond Hill for his eloquent and detailed explanation of why he supports Bill C-16.

At the end of his speech, he highlighted what was happening in Ontario and in Richmond Hill with respect to the legislation they adopted. Could he elaborate on what other provinces and territories have done to advance the cause for gender identity and gender expression through their legislation?

**Mr. Majid Jowhari:** Mr. Speaker, I thank and commend my colleague on leading the issue of youth and mental health. I am sure I will have the pleasure of working with her very closely on the file and on this bill as well.

In my speech I sought to highlight the fact that many other provinces and territories across Canada had adopted legislation that sought to protect the rights of trans and gender diverse persons in Canada. Most Canadian provinces and territories now list gender identity, and some have included gender expression, among the prohibited grounds of discrimination under their human rights law.

The human rights laws in the Northwest Territories, Manitoba, and Saskatchewan prohibit discrimination based on gender identity, while the human rights laws in Alberta, British Columbia, Nova Scotia, Ontario, Prince Edward Island, Quebec, including New-

foundland and Labrador, prohibit discrimination based on both gender identity and gender expression.

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Mr. Speaker, the Prime Minister has been quoted often as saying we are stronger because of our diversity. I could not agree more. What makes Canada great is our pluralism and inclusiveness. However, what deeply concerns me is the statement that was made and echoed by the Minister of Justice this morning, which is that we must go beyond tolerance of differences to acceptance.

The reason I do not agree with this thinking is because it literally removes what makes Canada the great democracy it is, where we all have the right to think differently and make different choices and express contrary views without fear of repercussion. What we must do is accept all people. What we must not accept is the loss of respect for differences, views, and choices. We must accept people while respecting various views and varying choices.

I forgot to mention that I will be splitting my time with the member for Kamloops—Thompson—Cariboo.

Today, we are asked to consider extending these protections to include gender identity and gender expression. As elected officials, we have a duty to the Canadian public to exercise the best judgment we can to ensure that we continue to protect those already protected under the law, while considering the needs of those asking for additional considerations.

How does gender identity and expression differ from protection provisions already extended under the 1996 Canadian Human Rights Act to sexual orientation? Typically, a person's gender is consistent with the biological sex characteristics, resulting in an individual dressing and/or behaving in a way which is perceived by others as within generally accepted cultural gender norms. Gender, we are told today, is no longer based just on biological sex characteristics. Rather, it is based on what one feels he or she is or what one identifies with. Male, female, agender, genderqueer, trans man, trans woman, transgender, non-binary, even questioning, or unsure are some of the options. The vocabulary is continuing to evolve for those seeking new roles or identities for themselves.

Gender expression refers to the ways in which one may opt to manifest or express their masculinity or femininity. Sexual orientation can include heterosexual, straight, gay, lesbian, bisexual, asexual, pansexual, queer, questioning, or unsure, same gender loving, or others. If options for identifying oneself extend to questioning and unsure, how do we protect that? How does an individual know if he or she falls in this category? How is an employer supposed to know if he or she falls in this category? What about lawmakers and enforcement services?

*Government Orders*

With respect to the other provisions under the law, we provide citizens, businesses, service providers, and lawmakers with clear definitions, as we should. Will a new law protect people who have committed to and changed their identification, as well as those who want to change or think they want to change, or perhaps they have been thinking for the past couple of weeks they want to change, or in the last hour? It is a very broad spectrum we are asked to consider today, from “I feel like a woman today” to someone who has completely committed to the process, changed him or herself, has gone through transformational surgery, and now wants protection from discrimination.

As a business owner, if a male employee has been going to the men's washroom for 10 years, suddenly decides to go to the women's washroom and people hear a woman scream, is it discrimination to ask him to leave? Is the man just opting to put his toe in the water, so to speak, and now has the right to, or would a pervert possibly be kicked out? Where does the onus of responsibility lie to determine what the true circumstances are? Is this not putting an inordinate amount of responsibility on our employers, businesses, and service providers? Clearly, the females in this instance have rights, too, or do they? As do the businesses or service operators, or do they?

As a small business owner in a small family community, we have respectfully indicated to customers that we could not provide them the services they requested. Fortunately, they understood. Our consultation with a lawyer affirmed that we had the right to determine who our clientele was as he also had the right to determine what cases he wanted to take. Where the challenge exists is this. Tools are being used widely to promote a loss of diversity, not a growth in diversity. To think differently is being attacked with hate language and terminology that says, “If you disagree with me, then you hate me”, and that, in turn, is impacting other people's freedoms and choices.

● (1255)

I have taught my children to know what their values are and to make good choices based on those values. I have also taught them to value everyone, regardless of how their values and choices may differ from their own.

In the community we lived in until six years ago, there are mosques, gurdwaras, temples, and churches. The church that my husband pastored had the Christmas story told in 13 different languages. There were 83 different people groups, and my children were the minority as white Caucasians in their school. They have friends of different faiths, ethnic backgrounds, and sexual orientation. They have relationships regardless of their differences. This is true diversity and true acceptance.

I greatly respect the member for Esquimalt—Saanich—Sooke and the way that he reached out to the gay community of refugees coming to Canada. At the first briefing by the Minister of Immigration, the member asked how the gay community here could connect with a Syrian gay community coming into Canada as they were routinely discriminated against, harmed, and murdered. I expressed my absolute support for his desire to help them make the transition to Canada a safe and positive one.

No one should be persecuted or discriminated against for their choices or beliefs. However, the same could be said of the Yazidis

and Christians, who are one of the four most vulnerable groups identified by the United Nations, who also are not in the camps at all, because they will be murdered there, and who often do not make it there, because they had been thrown overboard and drowned before they reached safety.

The question has to be asked. What is to be done when values and beliefs of individuals and faiths collide in Canada? Do we support one and attack another?

This is what is happening, and I fear could happen on an even larger scale when claims are made to the Human Rights Commission. Coexistence is what makes diversity great, not an artificial inclusiveness that simply moves the markers and tosses that which does not agree out of the equation by defining a different view, belief, or right to share that perspective as hateful.

As we start down this road, are we prepared to extend rights to every incarnation and how many more are going to evolve? Should something as important as our human rights charter and Criminal Code be this fluid?

I had also hoped to provide a definite number respecting how many individuals were requiring gender identity and gender expression protection. Unfortunately, like its definition, there are no clear hard core numbers or studies readily available for reference.

The gender identity and gender expression population is estimated to range from 1% to 3%. Every population is important and should not be discriminated against. However, should the needs of a small and broadly-defined minority of 1% to 3% outweigh the concerns of the general population that equally has and share those rights?

As discussed, the labels for this population are continually morphing and evolving, and the numbers that identify with this population are somewhat dubious at best. In our zeal to want to be seen as fair and open-minded, we seem to have forgotten the faces of those whose equal rights also exist. If we are in fact prepared to pass this law and let everyone do whatever they want on any given day or whim, do we not have a responsibility to ensure that we are not now discriminating against the larger population's health, safety, and quality of life?

Proponents of the bill should or would have no issue, I would think, with a grown man coming into a women's locker room to shower, as the bill would allow a self-identifying or expressing man in this case to do so if he so chose. However, aside from those who are comfortable with it, there is a large percentage of the population that is not.

Women's rest rooms and locker rooms are traditionally family changing rooms. By passing the bill, are we then be saying that a person's need to express his or her gender or identity foreshadows the mother's need to also protect her child from seeing a naked man at, let us say, a YMCA children's swim class? Have we really gone this far in our society? Is this really where the majority of Canadians want to evolve or aspire to?

*Government Orders*

With incidents of violence increasing against women and children, and, yes, against men, and with incidents of sexual predators on the rise, child kidnappings and so forth, and we see it all the time in our news, is it prudent for responsible legislators to expand this umbrella so irresponsibly?

To ask the majority of Canadians to give up their own rights to privacy and to gender identity and expression, and bear the cost for the same, is asking too much. I am confident that a good portion of our society agrees with this.

• (1300)

For these reasons, I accept, embrace, and support the rights of all individuals to live without discrimination for their values, beliefs, and choices in Canada, and so I cannot support Bill C-16.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, in listening to the member, one of the thoughts that came to my mind is to recognize that Ottawa has certain jurisdictional responsibility. We are addressing that in the legislation we are proposing today.

There are provincial entities that have already accepted gender laws of a similar nature and have moved forward on them, and we are talking about more than one provincial or territorial jurisdiction.

I wonder if the member could provide some comment with respect to the fact that, as Canadian values understand and appreciate the whole idea of zero tolerance toward discrimination and acts of bullying and so forth, some provinces seem to have responded. We have seen members from all political parties talk relatively positively about the legislation.

Does she not feel that maybe there is the opportunity for Canada, the national government, to move forward on what is in fact a very important issue, upon which other jurisdictions have already acted, at least in part?

• (1305)

**Mrs. Cathay Wagantall:** Mr. Speaker, quite honestly, I use a lot of what I would consider common sense to guide me in trying to discern what is the appropriate response here. To my children, I say, “Just because your friend jumped off the bridge, do you need to do that too?”

The reality is that there is a lot of angst across Canada in a lot of areas, not with accepting people, but with being put in positions where they have no choice but to change the dynamics of acceptance for other people who are recognized in the charter when really we do not need to, because these people, all of us, should be protected under that charter against discrimination—and we are.

As far as bullying goes, I have an autistic grandson in school. Believe me, what is happening nowadays in schools to prevent bullying is huge, in my mind.

I've seen a precious young gal in my life come home, crying, in tears, asking me to pick her up because the girls she had been friends with all of her life until grade 6 now said she had to lose weight and style up to continue to be part of their group.

This is an issue that transcends just the question of homosexuality and gender identification. These are all issues that actually impact all Canadians. That is why I feel our Charter of Rights and Freedoms needs to reflect that people who have a different view from mine have every right to live and have those freedoms in our country right alongside me.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I want to assure my hon. colleague that she does not have to worry about going to the bathroom. That is under provincial jurisdiction. Nobody is going to take that right away from her.

I want to assure her that this bill is not about allowing people to do whatever they want, whenever they want, however they want, as she claims.

This is about protecting a very vulnerable segment of society.

She tells me it is just 3% and if we are protecting that 3%, what about the rest of the population; are we not somehow being mean to the majority? I have heard that false argument from the religious community for the last 20 years, that everything is okay with the majority and the minority can just get along.

I remember what it was like for the minority when I was in grade 9 and my friend Terry had to run home every single day. We did not have a word for trans then, but we knew what happened to them. Hey, but the majority, the football players, the jocks, the pretty girls, they all thought it was okay.

What we are talking about is simple legislation to make sure that those kinds of acts of violence are not allowed, that denying people jobs because they are trans is not allowed. My colleague is a landlord and she might not like a trans couple renting at her place, but it is not her place to tell them that they cannot rent there, in the same way as if she does not like a black couple renting, or a gay couple. That it is not her right, as the majority does not supersede their right to live their lives.

This is a fairly simple piece of legislation, but when I hear my hon. colleague, it sounds like western civilization is coming to an end. Western civilization was not all that great for a lot of people who were bullied and victimized year after year after year. When I hear her talk about sexual predators coming into the washrooms, I have to say that we saw sexual predators loose in our schools and our churches for decades because nobody was going to challenge them.

I would like to ask why my hon. colleague is afraid of that 3% just being protected from harassment.

**Mrs. Cathay Wagantall:** Mr. Speaker, I agree with you that they should be protected. That is not the argument here at all. There is no way that those individuals should not be protected the way everyone else is under the Charter of Rights and Freedoms. However, the concern is that their being entrenched in that charter gives an unfair advantage in hate literature.

You talked about playing both directions, sir. I agree with you that homosexuality is not a new thing. There are Christian churches that are gay communities, and I respect that. That is not the issue. What we are talking about here is ensuring that everybody's rights and freedoms are protected.

*Government Orders*

•(1310)

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Before resuming debate, I want to remind hon. members that they are speaking through the Speaker and not directly to each other. It makes it a lot more respectable in the House and easier to manage.

Resuming debate, the hon. member for Kamloops—Thompson—Cariboo.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, I will try to keep your last point in mind as I address my comments through you to the House.

I am also rising to speak to Bill C-16, an act to amend the Canadian Human Rights Act and the Criminal Code. It is a bit of an innocuous title to a bill that requires parliamentarians to reflect on some personal and fundamental values. It is also important to note that the bill will likely receive majority support, while we must acknowledge that some of my colleagues and many Canadians do have concerns about what the bill actually means.

I will be supporting the bill at second reading, and I hope my remarks will help shape a thoughtful dialogue, especially for those who are less comfortable, and also will address some of the specific concerns I have heard during the debate in the House today.

First, it is important to talk about the technical aspects of the bill. Bill C-16 would make three changes to the law. It would amend the Canadian Human Rights Act to prohibit discrimination on the grounds of gender identity and gender expression. This amendment would provide explicit protection to gender, transgender, and gender diverse persons. That is from discrimination in areas such as employment opportunities and access to goods and services.

The bill would also amend the Criminal Code in two ways. It would prohibit hate propaganda against groups that are identifiable based on gender identity or gender expression, and certainly an example is extremist literature that is especially targeting them.

Finally, it would amend the Criminal Code to clarify that sentencing for a criminal offence may be greater if the offence was motivated by bias, prejudice, or hate.

As stated by the minister, the objectives of the bill are to recognize and reduce vulnerability of trans and other gender diverse persons to the discrimination, hate propaganda, and hate crimes and to affirm their equal status as Canadians.

I think the statistics are irrefutable that transgender people face high levels of discrimination and also a high risk of violent crime. Recent research by Egale Canada said 95% of transgendered students feel unsafe at school and nine out of 10 have been verbally harassed due to their gender expression.

I did some research as I was looking at my comments today, and I went to a document that the World Health Organization has put out. It is very interesting. It talks about gender identity versus sex, and it says we often tend to confuse and mix the two together. As a quick look at what it calls sex, typically females are XX and there are males who are XY, but babies are born with chromosome abnormalities—Turner syndrome, XXX females, hermaphroditism, and a whole host of issues—but clearly it says that is sex and it is

determined by a range of chromosome complements, hormone balance, and phenotypic variants, which determine sex.

It puts out gender as being more of a social construct, and in western countries it has tended to be very binary in nature, whereas in other cultures it has been much more fluid. Certainly we look at sex and we predominantly have males and females, XX and XY, but we do look at there being a whole variant within sex. Having not a binary philosophy around how we look at gender, as many other cultures do, is something we should be looking at.

This is not an abstract discussion. I think everyone here knew people in high school who were much more comfortable with their circle of friends; and we just heard one of my colleagues talk about Terry, who had to run home from school to escape bullying and abuse. I think many of us had friends in high school whom we were aware of. Also, perhaps it was our mother's aunt, whom we loved as a child but perhaps wondered what made her seem a little different, and we could not quite put our finger on it.

•(1315)

We have talked a bit here about what the bill is. We have talked a bit about the WHO definition. I am going to focus some comments also on some arguments that have been put forward today against supporting the bill.

The first one is that transgendered people are already protected under the human rights code. The debate has been fairly comprehensive in that area and I have been convinced that there is not full protection. There are some loopholes in terms of our human rights code, and sex and sexual orientation do not completely cover off the protection that is necessary. It was certainly a valid argument. I have listened to both sides and I believe there are some gaps in terms of protection.

The other point is that this is a bit of a symbolic affirmation as well. Not only would it close a loophole, but it is important and symbolic. Here I would like to share a local example.

We had an editorial on our local radio that talked about whether we even needed pride parades anymore, that it is sort of over and done with, "Let's get on, everyone is accepted". It was responded to by another local journalist who quite clearly articulated that if people thought homophobia and transphobia were over in Canada it was perhaps because they had never been queer. She then went on to talk about what it was like for her personally to move to a new community, to wonder if she was going to be accepted, and the challenges that she had in her everyday life.

*Government Orders*

The other thing we are hearing about is that perhaps there would be heterosexual predators who would take advantage of the bill and use it in terms of going after our young daughters and sons. I have been looking at recent examples of horrific crimes. Today we hear about someone in Nova Scotia, Klutzy the Clown. Last week, we heard about a teacher, a sports coach. We have heterosexual predators out there and our children must be protected from them, but I do not think that a trans person would use a single-occupancy restroom in order to perpetrate these crimes.

It is kind of interesting. I have thought about this at great length because I think that the people who have this concern are very concerned. We have a single washroom that we created in the park, and it was created for people with disabilities, for trans folks, and for others to access. It is a single washroom. The reaction that we got back because we had created a gender-neutral washroom was very stunning. On airplanes, there are gender-neutral washrooms.

This was a very interesting experience. My daughter went to university and she was staying in residence. I thought it was very strange that it was not only a co-ed floor but there were co-ed washrooms and showers at the university. I thought that was very strange and wondered how it was all going to work out. I asked her about it and she said that it was sort of strange at first but after the first week it was just normal in terms of that particular co-ed set-up. We perhaps worry about the bathroom issue in a way that we should not.

In conclusion, again I certainly know that we will be hearing more about this particular debate in committee and when we bring it back to the House. By supporting the bill in Parliament, we would send a collective, strong message and comfort to the many trans and gender diverse Canadians who have had a very difficult path in life. Again, I look forward to the continued debate.

• (1320)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I have had the opportunity to listen to a number of individuals speak to the very important bill that we have before us and I genuinely appreciate the member's contribution.

The question that I have for the member is in regard to the issue of percentages. We have seen a substantial increase in the percentage of the amount of violence and abuse taken against those we are addressing today. There seems to be a much higher percentage. I am going to go into that in my comments.

Could the member pick up on the point in terms of the current abuse that is there, given Canadians' tolerance and Canadians' wanting to see government do more to end discrimination and the whole idea of violence?

**Mrs. Cathy McLeod:** Mr. Speaker, I did reference a little of the research that has been done, and it is certainly very compelling. However, I also understand that there has not been a whole lot of research done in this particular area, or not as much as perhaps should be done.

Again, we can look at the examples, whether it was Terry or someone else. People have challenges in terms of violence, people have challenges in terms of bullying, and they certainly have

challenges in terms of opportunities. There are people who know the research perhaps better than I, and there is still more research that needs to be done.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Mr. Speaker, I wonder if the member would agree with me that there is a kind of misconception that sometimes happens that transgender people are really only downtown urban people.

I have attended the Okanagan Pride every year. Last year I met a transgender man from the member's riding. In my experience, there are transgender people in all communities, all across the country, and it is not just some downtown urban kind of phenomenon.

**Mrs. Cathy McLeod:** Mr. Speaker, I am not completely knowledgeable about all the research in this area. I would expect there is trans and gender diverse people across this country. Perhaps many of them are more comfortable and find more support in some of our larger centres, because of course in a small rural community sometimes it is very difficult to have the support one might like.

I will talk to the article that was written by this journalist. She was moving to a smaller community and was really not quite sure what kind of support she was going to get when she actually arrived in a town that was not as large as where she was coming from.

**Mr. Brad Trost (Saskatoon—University, CPC):** Mr. Speaker, I appreciate my hon. colleague's remarks and her thoughtfulness.

There are some real practical issues. I wonder if the member is familiar with the Vancouver Rape Relief Society v. Nixon, where the rape relief society lost at the human rights commission but later on prevailed in the courts, because they had denied someone who had transitioned from being a man to a woman. They said, "Look, we want to have only people who were born and raised as women as rape counsellors."

If the member is familiar with that case, does she understand the concerns that organizations like the Vancouver Rape Relief Society and members in the House who are opposing the bill have that legislation like this will actually impinge upon the rights of people across the country who want to do something different and who do not necessarily agree with some of the philosophical constructs that the government is putting forward as it supports the legislation?

**Mrs. Cathy McLeod:** Mr. Speaker, as the bill goes to committee, there is going to be some great opportunity for a more intense look at both the pros and what some of the challenges might be with this particular piece of legislation.

There is no question that those issues will come up in committee as they look at it. Perhaps the committee will have some thoughtful suggestions that come back to the House as a result of the more intense look at all the ramifications.

*Government Orders*

•(1325)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I stand today to address an important piece of legislation. I applaud in particular the Minister of Justice, who has introduced two substantial pieces of legislation in a relatively short time span. I admire the efforts and the work that she, through her department, has done in order to present Bill C-16 to the House. I understand that the legislation was part of the mandate letter that was provided to her by the Prime Minister. That speaks to the degree of importance that the Prime Minister, cabinet, and the government as a whole, any political party, place on the legislation.

I listened to the many speeches that have taken place today and I have found that all political parties support Bill C-16. We do not often get that sort of support and it is worthy of notice.

I would like to again highlight the effort put into this file by the Minister of Justice and her department. This did not just happen overnight. When legislation is brought forward a significant contribution is made by many different stakeholders from virtually every region of our country. It is important that we acknowledge the efforts of the many individuals who have allowed us to get to this point where we are now debating Bill C-16.

It is important to recognize that Ottawa played an important role, a strong leadership role with respect to the legislation. I will get back to that leadership role, but it is important that we recognize that there are other jurisdictions.

I asked the member for Richmond Hill if I could quote him specifically in his response to a question because it is pertinent to today's debate. He said, "many other provinces and territories across Canada had adopted legislation that sought to protect the rights of trans and gender diverse persons in Canada. Most Canadian provinces and territories now list gender identity, and some have included gender expression, among the prohibited grounds of discrimination under their human rights law." He also said, "The human rights laws in the Northwest Territories, Manitoba, and Saskatchewan prohibit discrimination based on gender identity, while the human rights laws in Alberta, British Columbia, Nova Scotia, Ontario, Prince Edward Island, Quebec, including Newfoundland and Labrador, prohibit discrimination based on both gender identity and gender expression."

When members think of Bill C-16 and how they might vote, they need to recognize that Ottawa, albeit an important player, has a leadership role to play. It is also important to note that while most provinces have amended their human rights laws to provide explicit protection as noted above, gender identity and/or gender expression had previously been implicitly included in some jurisdictions under other explicitly enumerated grounds, such as sex, as a matter of policy, and/or as a result of court decisions.

It is important to recognize that while New Brunswick, Nunavut, and Yukon have not amended their legislation to explicitly include gender identity or gender expression in their laws, the New Brunswick and Yukon human rights commissions have published guidelines on human rights that indicate that gender identity discrimination is a form of sex discrimination.

It is important to recognize that across Canada we are moving toward a more modern and a more inclusive society. The legislation would align with Canadians' wishes and truly represent them.

•(1330)

As a representative of the great constituency of Winnipeg North, I believe that I represent all the people of Winnipeg North. I want the members of my constituency to feel comfortable knowing that I will represent their interests first and foremost. This is something I do in different ways. For example, in caucus discussions, we know that we can say whatever we want. We know that at times there are some limitations in the chamber regarding what a member might want to say. However, I want my constituents to understand that no matter what their background is, whether based on ethnicity, religion, or belief, when coming to talk to me, I will not discriminate in any way so that I can represent their interests, no matter what percentage of the population they might claim to be part of in my constituency. I say that because this debate should not be about one's faith or religion; it is a fundamental right we are debating.

Back in 1948, the United Nations brought forward a universal declaration about the importance of human rights. Since that day, there has been the intention and goodwill of politicians around the world to honour it by bringing forward ideas, resolutions, and legislation to try to embody what that declaration was proclaiming.

We often hear about the lack of studies and reports. The nice thing about Google is that it does not take much to get a sense of what might be out there. I would like to make reference to a report I was able to identify. I would encourage members who are having a difficult time with this issue to try to get a better understanding of what many individuals in our society are trying to come to grips with. Many are trying to make a difference by, for example, seeing legislation such as Bill C-16 pass.

It is a report by the Trans Pulse project team in Ontario. I would like to provide some selected comments from that report.

I will start on page 1, which highlights how effective this report was, and still is.

It states:

To date, the project has produced 14 academic research articles in peer-reviewed journals, 5 reports created at the request of government or community service agencies, and 8 e-bulletins to provide short summaries of key findings in easily accessible formats.

I would emphasize that this report originated in Canada's largest province, Ontario.

It posed this question: "Who are Trans People in Ontario?" I love the response. I believe it is appropriate for me to read the response to that question.

It states:

Trans people in Ontario report a full range of ages and occupations, and are geographically distributed across the province proportionally to the population.

•(1335)

This is something members have actually raised. This is not just an urban issue. It goes on:

### *Government Orders*

They belong to all ethno-racial groups, and 7% identify as Aboriginal. Of course, trans people also form families: 44% are in a committed relationship and 24% are parents.

While they may not have had language for it at the time, 59% knew that their gender identity did not match their body before the age of 10, and 80% had this knowledge by the age of 14. Gender identity is often clear years before people socially transition to live in their core gender. While approximately 80% of Ontario trans people have socially transitioned to live their day-to-day lives in their core gender, most full-time, only 8% report that they had begun living in their core gender by age 14. It is import[ant] to note that there is a lot of sex and gender diversity within trans communities. About three-quarters of trans people indicate they need to transition medically, which may involve different combinations of hormones and/or surgery for different individuals. Though trans women have received greater media attention, there are about equal numbers of trans people on male-to-female and female-to-male spectrums in Ontario.

This is an important point.

About 1 in 5 trans people do not identify as male or female, or even as primarily masculine or feminine. These more gender-fluid people can identify as both male and female, neither male nor female, or as something else entirely (e.g. as another traditional gender recognized by Aboriginal or other cultural groups).

The report provides some extensive polling, which I thought was quite interesting. The report talks a lot about the discrimination and violence experienced by trans persons.

In everyday life, trans people experience the effects of living in a society in which stigma and discrimination against trans people are common. In addition to instances of discrimination and violence that would constitute human rights violations, trans Ontarians nearly universally report that they have experienced some type of "everyday transphobia". For example, 96% had heard that trans people were not normal, 73% had been made fun of for being trans, and 78% reported their family had been hurt or embarrassed. These daily indignities can take their toll; 77% worried about growing old as a trans person, and 67% feared they would die young.

There are some interesting numbers the report releases, but let there be no doubt that it is common that there is discrimination, violence, and structural barriers for trans people.

Continuing with the report, on the issue of violence, it states:

Trans people are the targets of specifically directed violence; 20% had been physically or sexually assaulted for being trans, and another 34% had been verbally threatened or harassed but not assaulted. Many did not report these assaults to the police; in fact, 24% reported having been harassed by police. Trans people also face violence in institutional settings such as prisons; 6% of Trans PULSE participants had been in prison or jail, and one-third of them reported experiencing violence due to their gender....

It continues:

The majority (57%) of trans Ontarians had avoided public washrooms due to these safety fears....

Of those who had experienced physical and/or sexual violence due to being trans, 97% report avoiding at least one type of public space....

The impact of discrimination and violence on social participation and health is something that is very prevalent.

• (1340)

Mental health and suicide are very serious issues. A graph of the proportion of trans Ontarians reporting past-year suicidality by past experiences of transphobic assault or harassment has very interesting numbers. It is going up.

We need to look at what Bill C-16 is proposing to do. Canada celebrates diversity and inclusion. All Canadians should feel safe being themselves. As promised, the government has introduced legislation to add gender identity as a prohibited ground for discrimination under the Canadian Human Rights Act and to list it in

the distinguishing characteristics of identifiable groups protected by the hate speech provisions of the Criminal Code.

Our government believes that all people can live according to their gender identity and can be protected from discrimination, hate propaganda, and hate crimes. We are committed to ensuring that trans and gender-diverse Canadians are free from discrimination and are protected from hate propaganda and hate crimes. Bill C-16 would ensure that protection from discrimination based on an individual's gender, identity, or expression is included in the Canadian Human Rights Act.

The Canadian Human Rights Act was proclaimed in Parliament back in 1977. In reading through it, I found something worth repeating, which is the actual purpose of the act. It states:

The purpose of this Act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

I think all Canadians understand the importance of the Canadian Human Rights Act. There are agencies, such as the Canadian Human Rights Commission, that investigate issues and pass them on to the Human Rights Tribunal. There is an apparatus, whether through legislation or our bureaucracy, to ensure that discrimination is marginalized in our country.

Today we have before us legislation that would give more strength to what Canadians have accepted overwhelmingly, the Canadian Human Rights Act. That is what the government is proposing to do, recognizing that transgender people are suffering discrimination far beyond what the average Canadian suffers. Incorporating it into the Canadian Human Rights Act is the right thing to do.

If members listened to the speeches this morning, this has crossed party lines. I appreciate the opinions of all, but I would emphasize that this should not be a debate about faith. It should be a debate about human rights. It should be about discrimination and the role parliamentarians can play in minimizing discrimination.

It goes back to the Universal Declaration of Human Rights back in 1948 and the leadership role Canada can play. We have a Prime Minister who has mandated that the Minister of Justice make this legislation a priority so that it is passed during the first year of this government's mandate.

• (1345)

We recognize how important it is as parliamentarians to say that we will not stand for violence, bullying, and discrimination. When we are provided the opportunity to protect those rights and ensure there is a higher sense of equality, we will step up to the plate and support this legislation.



*Government Orders*

I appreciate and respect the opinions of all, but I look at this issue as a human rights issue first and foremost. We owe it to all our constituents, no matter where they come from or what their perspective might be, to represent them well. When we have legislation of this nature, which would ensure that sense of equality, we need to stand and be counted in support of the legislation.

I understand there is some reservation from opposition members. Let us attempt to address that by allowing the bill to go to committee and see if those points can be addressed, and then make that final decision on third reading. I encourage members of the House to pass this legislation at second reading, allow it to go to committee, and see what the members of the public and others have to say. How wonderful that would be in recognition of the importance of the Universal Declaration of Human Rights signed many decades ago.

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, I can assure my colleague that everyone on this side is against all types of hate propaganda, hate speech, violence, and bullying of any kind. That is not a question as we debate the bill. However, there was one comment my colleague made that concerns me. He said that this should not be about faith.

Faith is very important for millions of Canadians. It is important to Canadians who were born here, and important to many of our immigrants who have come to Canada, partly because of the freedom of religion and faith that we have in our country.

What will the impact be on immigrant and cultural groups, and faith groups, the majority of which may not agree with some of the values that we espouse today? Will they have the freedom to teach their children and practise their beliefs without being accused of hate speech or being accused of human rights violations?

**Mr. Kevin Lamoureux:** Mr. Speaker, I like to consider myself as someone of fairly strong faith. I am sure the member would know William Wilberforce and the many efforts he put forward in Parliament. Some of the things he did were somewhat revolutionary. This is why I say this debate should not necessarily be about faith. I can have a very strong faith, but at the end of the day, this is about human rights.

By passing this legislation, we will be saying to the community as a whole that we are moving, and will continue to move, in the right direction. This is not new. I made reference to the United Nations declaration of 1948. I truly believe that set the world on the right path in recognizing that human rights should never take for granted.

How can we not acknowledge that there is an excessive amount of discrimination in a certain aspect of our community? This bill would go a long way in addressing and providing that comfort, and we should be standing up for it. In my mind, it is a human rights issue.

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Mr. Speaker, I appreciate the comments by the member for Winnipeg North, but I want to go back to what the member for Kitchener—Conestoga said. In his speech, he claimed that the majority of faith groups did not support the bill. When I asked him about that, he said that was not what he said. However, he just repeated it again and said that the majority of faith groups and immigrant groups did not support the bill.

I have seen no evidence of that. In fact, I have seen evidence to the contrary. Could the member for Winnipeg North comment on that?

**Mr. Kevin Lamoureux:** Mr. Speaker, again, I do not necessarily want to turn this into a faith issue. I want to emphasize the importance of the human rights angle.

When I think of the faith group, what I recognize is a community that does not tolerate bullying, violence or discrimination as a whole.

The bill is more about protecting human rights and, as such, a vast majority of Canadians would see it as that. I want my constituents to know that it does not matter to me what their background is. They need to feel comfortable knowing they can come to me to share their ideas and their thoughts. They need to feel comfortable knowing that I will represent them.

The Liberal Party is the party that brought in the Charter of Rights and Freedoms. Rights and freedoms are of critical importance to us as is that sense of equality. We will do whatever we can do to minimize discrimination, bullying and things of this nature.

Many would argue that the legislation we are debating today is overdue. It is a step in the right direction. I hope we will see it pass to committee in the not too distant future.

● (1350)

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Speaker, I would like to thank my friend for really providing so many thoughtful comments on this issue.

I was looking at a quote from somebody in my community who was quoted in *Toronto Life*. She writes:

...By the age of about eight, I knew exactly who I was. The words played in my head on a perpetual loop: "You're a girl, you're a girl, you're a girl." But when I acted like one, I was punished.

That speaks to me. As a parent, I really want to believe that children can be true to themselves and live their lives in a way that is authentic to who they are. This is why it is so important for us to be having this debate today and to be putting forward this bill.

I was happy to hear some comments about faith. In my community, we have the MCC Toronto, the Metropolitan Community Church, which has played such a vital role in being a place of faith that supports people in our community. In fact, as part of MCC Toronto, is T.R.E.A.T., the Trans Resource, Education, and Advocacy Team, which is a group of trans people and allies. It is a place where people can find a spot within their faith to support equality in our community to ensure everyone feels supported in who they are. That is such an important thing on the eve right now, the Transgender Day of Remembrance which is coming on November 20. That day highlights for us exactly the astounding issues across the country for trans people. The fact that we need to have the Transgender Day of Remembrance is so important and it shows how much more we have to do.

*Government Orders*

In that background of having, still, the need for a Transgender Day of Remembrance, of knowing that there are people in our community who feel that they are going to be punished for who they are, could he speak to how this bill will help that community and all those people to be true to who they truly are?

**Mr. Kevin Lamoureux:** Mr. Speaker, I appreciate the question from my colleague. She is quite right in her assessment. We need to recognize that the legislation we are debating today sends a very powerful message. It is not just a law that we are changing, which will have a fairly significant impact on the lives of many, but there is a certain amount of symbolism in the legislation. That is not to say that it is just symbolism. This will have a profoundly positive impact for those who genuinely believe in equality and want to fight discrimination.

Going back to the young lady to whom the member made reference, many in our society find it very difficult to understand the discrimination and the issues they have to overcome. That is one of the reasons we see a higher suicide rate, or people at least thinking about committing suicide.

As legislators, we can do things to address the issue. Today we are debating legislation that will have a positive impact in a number of ways, not just the most obvious way of changing the law. Rather, it is about education. It is about tolerance. There will be an ongoing dialogue as a direct result of this.

Ottawa is to demonstrate leadership. Other provinces have already moved, and some provinces need to move a little more. In the past, Canada has played a very strong international role. Passing this legislation and making it a part of our Human Rights Act will give Canada that much more clout when we talk about issues such as this internationally.

It is a win-win in many different ways. We know that discrimination takes place. The real winners will be individuals who are at the receiving end of that discrimination. I believe it will make a difference. I came to Ottawa for that. I know that is why MY colleagues came to Ottawa. We want to contribute to the broader debate.

We are very fortunate that we have a Minister of Justice who has been able to bring forward this legislation, and not only this one. This is her second major piece of legislation. It challenges members to think about what they want to accomplish. It allows us the opportunity to make a difference by voting for this.

Bills of this nature have a profound impact on society as a whole. I sat on opposition benches, primarily, where we saw legislation that would tinker with this or that. Because we have a Prime Minister who is committed to issues such as this, we have witnessed, in a very short time span, substantial legislation that we believe will make a difference in society. We should all be very grateful for this. I believe our constituents are well served when we have debates of this nature.

I would encourage members to look at passing the legislation and allowing it to go to committee.

• (1355)

**Mr. Brad Trost (Saskatoon—University, CPC):** Mr. Speaker, with just two minutes left in the debate, let me put on the record my opposition to Bill C-16 and say very clearly that I am opposed to this

legislation because it is impractical, unworkable, and it is legislation that, both as a social Conservative and as a free speech libertarian, I am opposed to.

While I was not all that well prepared for it, I will state those particular views.

I have noted a couple of cases in my questions and comments which have indicated my problems with it, in particular the Vancouver Rape Relief Society that was in opposition, and had some legal issues. It would have more legal difficulties with this going forward.

I would also note that there are some free speech issues. We see them with University of Toronto clinical psychology professor Jordan Peterson who has been discussing this bill.

We need to understand this and we need to talk about it. This legislation would affect all Canadians, not just people who are being specifically noted and brought forward in this bill. I want to make this clear. As Conservatives, we included, we do not support discrimination against anyone in our country, but this legislation has impacts that are not always seen and that will actually promote discrimination against people who want to support more traditional values or who want to engage in free speech.

I see the time is coming up fairly close to the hour, so I will wind up my rather short speaking remarks on this legislation. This is a big government solution to a problem that does not exist. As Conservatives, we should be opposed to big government solutions. The purpose of human rights legislation should be, by and large, to restrain the government, not to actually input new discriminations against other people. I realize that is not the intention or the argument the hon. members are making on the other side, but it is something I firmly believe this legislation would do. I am prepared for questions and comments.

• (1400)

**The Speaker:** Questions and comments.

Seeing none, is the House ready for the question?

**Some hon. members:** Question.

**The Speaker:** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Speaker:** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Speaker:** In my opinion the yeas have it.

*And five or more members having risen:*

**The Speaker:** Call in the members.

**Hon. Andrew Leslie:** Mr. Speaker, I would ask that the vote be deferred until today at the expiry of the time provided for oral questions.

**The Speaker:** So ordered.

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## STATEMENTS BY MEMBERS

[Translation]

### PARTI QUÉBÉCOIS

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Mr. Speaker, the Parti Québécois has elected a new leader, and what a leader: he is none other than Jean-François Lisée.

As a former right-hand man to some of our most illustrious heads of state, he is the perfect person for the job. He is an intellectual, a man of words, a man of conviction. With Jean-François Lisée at the helm, the sovereigntist movement will make major headway.

He will not be working alone. Alongside him, Martine Ouellet, Alexandre Cloutier, Paul Saint-Pierre Plamondon, Véronique Hivon, and all of the people on the ground will be working to make the sovereigntist vision of Quebec's largest activist organization a reality.

With Jean-François Lisée and the Bloc Québécois by his side, we will build the winning momentum Quebec needs. As of today, we are all on the same path, the right path, the path to victory.

\* \* \*

[English]

### FARLEY MOWAT

**Ms. Kim Rudd (Northumberland—Peterborough South, Lib.):** Mr. Speaker, I rise today to acknowledge the life and work of celebrated Canadian author Farley Mowat. Mr. Mowat, a literary icon and a long-time resident of my riding in Port Hope, Ontario, was recently honoured in the community with the unveiling of a bronze bust to recognize his undeniable contributions to Canadian culture.

Mr. Mowat, as the author of such legendary Canadian books as *Never Cry Wolf* and *Lost in the Barrens*, sold more than 17 million books worldwide in his lifetime. He clearly encapsulated man's humility in the face of nature's raw and unbridled power.

I would like to congratulate the family of Mr. Mowat, his wife Claire, son Sandy, grandson Justin, and brother John, on this special recognition.

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### PHYSICIAN-ASSISTED DYING

**Mr. Garnett Genus (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, the government's euthanasia legislation was supposed to restrict the practice to a narrow set of cases, not simply to legalize death on demand. However, a physician's recent harrowing accounts of abuses of the euthanasia bill, just published in *The Huffington Post*, show very clearly that the safeguards in the law are not working.

### Statements by Members

In one of the cases recounted, a Vancouver physician declared a depressed person eligible for euthanasia even before examining that person, because the patient "could easily get bed sores and then die of infection". A person's death was, prior to examination, declared reasonably foreseeable because the person could theoretically die from from an as-yet uncontracted bedsore infection. That is the reality of legal euthanasia right now in Canada: people who meet no credible criteria are doctor shopping and then finding someone who will sign off.

To mitigate these egregious cases we are already seeing, something as simple as better definitions would go a long way. In light of these emerging case reports, I call on the government to fix this alarming problem as soon as possible.

\* \* \*

[Translation]

### KATHLEEN GAGNON

**Mr. Yves Robillard (Marc-Aurèle-Fortin, Lib.):** Mr. Speaker, October is Women's History Month, so I would like to recognize the outstanding contribution of someone from my beautiful riding of Marc-Aurèle-Fortin.

Over the past few months, I have had the immense privilege of meeting people who care about improving the day-to-day reality of others. I rise today to recognize the contribution of Kathleen Gagnon, who was, until very recently, the executive director of Moisson Laval.

For over 30 years, Ms. Gagnon was involved in that organization with the very clear objective of improving the well-being of the people of Laval. Like so many others, Ms. Gagnon has been dedicated to helping those in need for decades.

To her and so many other women whose caring attitude and compassion are just part of who they are, I want to say thank you and well done.

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● (1405)

[English]

### STATUS OF WOMEN

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Speaker, I am honoured to be in the House to celebrate the groundbreaking Persons Case for women's equality.

On this day in 1929, five courageous women forced a ruling that women were in fact persons in Canada. Who knew?

This was a landmark victory for Canadian women, but 87 years later our progress has stalled. We rank 60th in the world on gender parity in Parliament, and at only 26% in the House, we have not met the United Nations' threshold of female legislators required to ensure that women's issues are forefront in our policy-making.

Tomorrow, I urge my fellow parliamentarians to vote in favour of the gender equity act. We need concrete action much more than good intentions.

*Statements by Members*

Let us continue the work of the Famous Five and a history full of trail-blazing Canadian women. Let us ensure our Parliament reflects the diversity of our Canada.

\* \* \*

[Translation]

**PERSONS CASE**

**Mr. Marc Miller (Ville-Marie—Le Sud-Ouest—Île-des-Sœurs, Lib.):** Mr. Speaker, today we commemorate the Persons Case, and we recognize the countless women whose contributions have changed the course of the history of our democracy.

Eighty-seven years ago today, the highest court in the land recognized that women should be included in the legal definition of “persons” under the Constitution Act, 1867, thanks to the efforts of five courageous women. That was only the beginning of the fight.

[English]

My personal unsung hero is Isabel Dawson, one of the first women to graduate in law from McGill. Legally prohibited from becoming a member of the bar until 1941, her 1936 Civil Code commanded her to obey her husband, something she rarely did, and as a married woman, prevented her from entering into contracts, alongside minors and the insane.

These provisions were not fully revoked, in fact, until the mid-1960s. We have come a long way. It is thanks to the struggles of my grandmother, whom I still miss every day, that I am able to stand here and personally appreciate the work that has been done and remains to be accomplished.

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**SHIRLEY RYAN**

**Mr. Kevin Waugh (Saskatoon—Grasswood, CPC):** Mr. Speaker, Saskatoon's business community is mourning the loss of a pioneer, Shirley Ryan. The former executive director of the North Saskatoon Business Association passed away last Monday.

Shirley had held the post for 19 years on her retirement in 2009. According to the current executive director Keith Moen, Shirley Ryan's tenacity and leadership helped propel the NSBA.

Shirley always told people exactly what was on her mind and in very plain terms. She was also one of the kindest, sweetest, sincerest ladies that one could ever meet. She had a heart of gold. She touched so many lives in our community and will be missed, without question.

Shirley Ryan is survived by her husband Bill and by her sons Robert and Peter. A memorial service will be held this coming Sunday at 2 p.m. at Prairieland Park.

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**PHARMACISTS**

**Mr. Raj Saini (Kitchener Centre, Lib.):** Mr. Speaker, I rise today to acknowledge the work and contribution of Canada's 40,000 pharmacists, who are leading the charge in innovative health care practices from coast to coast to coast.

Pharmacists are the most accessible health care providers in the country, and they are a vital point of contact between our health care system and the Canadian public.

As members of the House know, local pharmacies are critical to the health of any community and, as small business owners, are the backbone of the Canadian economy.

[Translation]

Throughout the country, pharmacists provide basic medical services including vaccines, exams, and pharmaceutical advice. Some pharmacists can even prescribe medication for common ailments. Pharmacists play a very important role in Canada's health care system.

[English]

I invite all members to join me in welcoming representatives of the Canadian Pharmacists Association to Ottawa today. Let us recognize them for the hard work they do in keeping all Canadians healthy.

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**STATUS OF WOMEN**

**Mr. Majid Jowhari (Richmond Hill, Lib.):** Mr. Speaker, I am pleased to speak on the occasion of Persons Day, a day that recognizes the historic decision to include women in the definition of persons under the law, which was handed down on October 18, 1929.

It is hard to believe today that a law needed to be passed for us to legally recognize the remarkable contributions of women to our democracy and our society.

When I think of the incredibly talented women in my riding and their achievements, I am nothing short of inspired. In particular, I would like to take this opportunity to commend Janine Purves, Anne Marie Dean, Marj Andre, Kathleen Mochnecki, Sherry Bennett, Heather Skoll, Fatima Sajan, Mahnaz Shahbasi, and Amy Tam for their hard work and dedication toward the betterment of our community in Richmond Hill.

Their contributions have impacted my riding in key areas including poverty reduction, environmental action, and community building.

*Because of Her*, Richmond Hill is better off.

\* \* \*

● (1410)

**HEALTH**

**Mr. Colin Carrie (Oshawa, CPC):** Mr. Speaker, as a chiropractor, I know how important it is for Canadians to keep their spines healthy. Over 11 million Canadians suffer from at least one musculoskeletal condition every single year. In fact, low back pain and other MSK conditions account for one-third of missed work in Canada, second only to the common cold.

*Statements by Members*

Our back hurts because we sit too much. Our necks ache because we spend hours staring at computer screens. As a result, millions of Canadians move through their day enduring back and neck pain, migraines, and headaches. Thanks to the good work of chiropractors, there are great ways to get relief.

This past Sunday marked World Spine Day. Our friends over at the Canadian Chiropractic Association have launched their campaign called Chiropractic Care Changed My Pain to help educate Canadians on the profound impact that chiropractors can have on their lives.

I encourage all of my colleagues to do their part for musculoskeletal health and share this invaluable information using the following link, [www.chirochangespain.ca](http://www.chirochangespain.ca), and by using the hashtag #chirochangespain.

\* \* \*

[Translation]

**SHEFFORD ON THE HILL**

**Mr. Pierre Breton (Shefford, Lib.):** Mr. Speaker, today I am pleased to tell the House about the spirit and energy of the people of my riding of Shefford.

I am very pleased to see how many mayors, CEOs, and business leaders were interested in taking part today in an event that I am dubbing “Shefford on the Hill”. When I presented 20 municipalities in my riding with an opportunity to come meet stakeholders from various departments to learn more about the programs and support offered by the federal government for projects and priorities, the response was unanimous. This is a different and effective approach to making lasting ties between my riding and the federal government. One of the most important things to me as a member of Parliament is to facilitate exchanges between our local leaders and our government.

I therefore want thank these partners for taking the time to work with me on providing this opportunity to our riding.

\* \* \*

[English]

**WORLD FOOD DAY**

**Ms. Julie Dabrusin (Toronto—Danforth, Lib.):** Mr. Speaker, this weekend I marked World Food Day. This day helps raise awareness and acts as a call to action on hunger and food policy.

[Translation]

It also reminds us that we must ensure food security and nutrition for all Canadians.

[English]

To celebrate this event in my riding of Toronto—Danforth, I was at the Leslieville Farmers' Market to speak to my constituents about food issues and what concerns them.

Sunday afternoon our community joined together in a “Chew on This” anti-poverty walk along the Danforth in recognition of World Food Day and the International Day for the Eradication of Poverty. The community walk was co-organized by the Glen Rhodes United Church, the Eastminster United Church, the Neighbourhood

Unitarian Universalist Congregation, the Pakistani Community Centre, the Madinah Masjid, and the Danforth Jewish Circle.

[Translation]

I want to commend my community for its efforts to raise awareness about food security.

\* \* \*

[English]

**TAXATION**

**Mr. Larry Maguire (Brandon—Souris, CPC):** Mr. Speaker, over this past constituency week, all members had a chance to return to their ridings and hear directly from Canadians what they think of the Liberal carbon tax.

It being the first week back after Thanksgiving, I feel it is appropriate to quote King Louis XIV's finance minister Jean-Baptiste Colbert, who said:

The art of taxation consists in so plucking the goose as to obtain the largest amount of feathers with the least possible amount of hissing.

I can report to the House that the hard-working taxpayers back home are not just hissing, they are spitting mad. The Liberal carbon tax will raise the price of everything. Rural Canadians and farm families will particularly feel the brunt of this Liberal carbon tax, as it will unduly affect their way of life. Therefore, I urge the government to go back to the drawing board and to think long and hard as to whether imposing this major tax grab, one that will cost farm families and other families across Canada thousands of dollars and put our economy at risk, is the best way to reduce greenhouse gases.

\* \* \*

● (1415)

**WORLD MENTAL HEALTH DAY**

**Mr. Paul Lefebvre (Sudbury, Lib.):** Mr. Speaker, October 10 is World Mental Health Day. This day marks a yearly opportunity to raise awareness and end the stigma that is still too often tied to mental health issues. It is also an opportunity to celebrate some incredible people who are doing great work to help Canadians.

I would like to take this opportunity to recognize the work of Patty MacDonald. Patty has been the director of operations at the Sudbury/Manitoulin Canadian Mental Health Association since 2002. She has been working to deliver services and raise awareness about mental health in Sudbury for more than 25 years.

I thank Patty, her teammates, and countless others throughout the country who have been doing their best to improve the lives of those who struggle to overcome mental health challenges.

World Mental Health Day also marks an occasion to bring the discussion about mental health issues to this place and for all of us to reflect on what must be done to make mental health care a reality for people worldwide.

Let us hope a national strategy on mental health can soon be developed.

*Oral Questions**[Translation]***THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, in its call to action 43, the Truth and Reconciliation Commission of Canada called on federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples.

This summer, I had the great privilege of travelling around the country to speak to Canadians about Bill C-262, the legislative framework for reconciliation that I am proposing, and I can attest to their undeniable enthusiasm.

In fact, reconciliation concerns every one of us. As we approach Canada's 150th anniversary, is it not time to do more than just talk? Should we not also take action?

I am pleased to hold up as an example the noble gesture of the City of Val-d'Or, which passed a resolution in support of Bill C-262 on September 6.

Like Val-d'Or and many other Canadian communities, let us work together to ensure that there is justice for indigenous peoples because that will help lead to reconciliation.

\* \* \*

*[English]***JIM PRENTICE**

**Mr. Len Webber (Calgary Confederation, CPC):** Mr. Speaker, I rise today on behalf of the constituents of Calgary Confederation. Our community lost a friend, a neighbour, and our former representative with the loss of the Hon. Jim Prentice.

Jim served as our member of Parliament, our member of the Alberta legislature, and our premier, and he represented us with dedication and commitment. He was a statesman in all he did, and our community is forever grateful. Jim always had time for his community and endeared himself to many.

His loss is a great loss for our nation and our province, but especially for our community. He will be deeply missed but never forgotten.

Farewell my friend.

\* \* \*

*[Translation]***PERSONS DAY**

**Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.):** Mr. Speaker, October 18, 1929, marks a pivotal moment in Canadian history when women were officially recognized as persons and granted the right to sit in the Senate.

*[English]*

This happened through the relentless effort of five women from Alberta. They successfully redefined the word "person" to include women. This gave women the same right as men to serve in the Senate of Canada. It also paved the way for women's increased participation in public and political life, and opened new doors of

opportunity for generations of women and girls. Without the efforts and sacrifices of these five women, we would not be here today.

*[Translation]*

On Persons Day this year, let us renew our commitment to making a difference in the lives of women and girls so that our country continues its incredible journey towards equality for all.

*[English]*

Happy Person's Day.

**ORAL QUESTIONS***[English]***TAXATION**

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, the Prime Minister promised not to raise taxes on the middle class, but he broke that promise with new carbon fuel taxes, rolling back the tax-free savings account, eliminating the tax credit for music lessons and hockey practice, and making student textbooks and trade tools more expensive. He has raised taxes on the middle class and is making it harder for families to save, and most recently, he has made it tougher for Canadians to buy their first home.

When are Canadians finally going to get a break from the Prime Minister?

● (1420)

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, I am happy to answer this question. One of the very first things we did as a new government was to lower taxes on middle-class Canadians. Nine million Canadians this year have lower taxes than they had last year, and that is helping them and their families have better lives.

More importantly, we put in place the Canada child benefit, which is helping nine out of 10 families with children, with \$2,300 more on average, and without their having to pay tax on that \$2,300. It is a much better situation for middle-class Canadians and those struggling to get into the middle class, with lower taxes today than they had before.

\* \* \*

**SMALL BUSINESS**

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, it is Small Business Week and it is time that the Prime Minister stood up for the almost 70% of Canadians who work in small businesses. Sadly, his priorities are elsewhere. He flies off to Davos, Switzerland, to rub shoulders with celebrities and the world's richest; he jets down to Sun Valley to mingle with American billionaires; and in Small Business Week of all times, he decides to go to Meech Lake to hang out with Chinese billionaires.

Instead of pandering to billionaires and celebrities, will the Prime Minister reverse his tax hike on small businesses?

*Oral Questions*

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, I would like to remind the member that we actually did have a lower rate on small businesses this year than we had last year. That is the reality.

What I can say with absolute clarity is that we are working on improving our economy. The trips that the Prime Minister has taken, we are so proud of. They have led to Thomson Reuters moving to Canada, General Motors reinvesting in Canada, General Electric investing in Canada, Microsoft investing in Canada. All of these things are helping our business community. Small, medium, and large businesses are doing better today than they did the year before.

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**TAXATION**

**Hon. Rona Ambrose (Leader of the Opposition, CPC):** Mr. Speaker, it is becoming increasingly clear that the Prime Minister's priority is not the concerns of ordinary working Canadians. He is completely out of touch with the problems they face, and the answers to those problems are not going to be found in meetings at Meech Lake with overseas billionaires. The answers are to give families a break, to lower their taxes, and to give them the opportunity to save and invest.

When is the Prime Minister going to come down to earth and start dealing with the concerns of ordinary working people?

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, it is always nice to have more than one opportunity to say what we are doing on behalf of Canadian middle-class families. We are so pleased that families are better off today than they were a year ago. We know that middle-class families facing anxiety needed an increased Canada child benefit, and that is what we gave them: significantly more money to raise their families, to do the things they need to do to have good Canadian lives.

We are focused on how to improve this country for all Canadians, improving middle-class Canadians' lives, and creating opportunities for those struggling to get into the middle class.

\* \* \*

**HEALTH**

**Hon. Denis Lebel (Lac-Saint-Jean, CPC):** Mr. Speaker, we will have a deficit of over \$40 billion if we do that—in fact, more than that.

[*Translation*]

Yesterday, the Prime Minister told the House that the provinces were not doing what needed to be done in the area of health and that the money was not being used properly.

It is a return to an interfering, centralizing government that makes all the decisions here in Ottawa. The simple way of dealing with this problem and preventing any arguments would be to respect the provinces' jurisdictions. It is as simple as that. Health care falls under provincial jurisdiction.

The Prime Minister said yesterday that the provinces were not using the health transfers properly—

**The Speaker:** Order.

The hon. Minister of Indigenous and Northern Affairs.

[*English*]

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, Canadians expect us to work together to improve the health care system, and that is exactly why the Minister of Health is meeting with her provincial and territorial counterparts today. Canadians also expect that the investments for health care actually go to health care, and that they see tangible improvements to their care.

We are providing leadership in supporting things like improving Canadians' access to increased home care through investments of \$3 billion over the next four years, and we look forward to the results of today's very important meetings.

[*Translation*]

**Hon. Denis Lebel (Lac-Saint-Jean, CPC):** Mr. Speaker, people are now realizing that this government is falling into the old habits of previous Liberal governments. The government is centralizing everything. It is eliminating the role of regional ministers and that of economic development agency ministers across the country, and it is telling the provinces that they are not managing the money for health care properly and that it knows what do do with that money. Yesterday, the government indicated that the provinces were not using that money properly.

According to the current government, what provinces are not using the money from the health transfers properly?

• (1425)

[*English*]

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, unlike one of the contestants for the leadership of the Conservative Party, our government actually believes in investing in health care. We believe that things like \$3 billion over four years for home care is a very important thing that will result in better care for Canadians and for all provinces and territories. That is why the Minister of Health is meeting with her provincial and territorial counterparts today and reiterating our commitment to stable and predictable health care funding.

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, the Prime Minister claims shortages in health care funding can be fixed by dictating to the provinces how they must spend their health care dollars. The numbers tell a different story.

By adopting Harper's cuts to health care transfers, the government will see the federal share of health care spending drop to just 18% over the next 10 years, when the initial deal was fifty-fifty. Does the government not understand the only real problem here is its cuts to health care?

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, there will be no cuts to health care.

It is a bit rich coming from his party, which actually promised it would invest in health but in the last election promised to balance the budget, which would have resulted in deep cuts to all programs across the government.

*Oral Questions*

Our government is committed to investing in the health of Canadians and by—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. I am going to ask members to settle down and listen to the answers.

The hon. member for Outremont.

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, Liberals committed to a different relationship with the provinces, but the Prime Minister refuses to even be in the same room with the premiers to negotiate the new health care deal. He promised he would never reduce health care funding without good faith negotiations, but he decided to move forward with Harper's cuts anyway.

How can the provinces be expected to provide people better health care while their funding is being cut?

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, I will repeat it. There will be no cuts to health care.

In fact, there will be more money for home care, and what we are hearing very clearly is that people want investments in things like prevention and mental health. It is going to be very important that the Prime Minister meet with the premiers of the provinces to discuss their priorities. The health minister meets with the health ministers—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

Hon. members, including the member for New Westminster—Burnaby, know that you are not to interrupt when someone is speaking in the House, so I would ask him and others to refrain from doing that.

The hon. member for Outremont.

[*Translation*]

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, there has been talk about expertise and jurisdiction in this debate on health.

The federal government provides health care to the armed forces, indigenous people living on reserves, and inmates. With regard to expertise, the federal government has none. With regard to jurisdiction, health care for the general population falls under the exclusive jurisdiction of the provinces.

What right does the federal government have to lecture Quebec on health care when it has no expertise or jurisdiction?

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, health is actually a shared jurisdiction between the different levels of government. It is very important that our government play a leadership role in helping indigenous people.

[*English*]

We have to do better. We are going to have to do better for the military, veterans, aboriginal people, people in corrections, and for the public service, but in the meantime, this is a joint effort and we are going to do better together.

[*Translation*]

**Hon. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, that is rather interesting, because yesterday, the Prime Minister himself said that, in Canada, health care falls under the exclusive jurisdiction of the provinces. Meanwhile, he is refusing to sit down with his provincial counterparts who have been asking for a meeting on health since June.

Will the government finally commit to meeting with the provincial premiers to discuss health care funding? I am asking for a simple yes or no answer.

• (1430)

**Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, it is very important that the leader of the third party recognize the major difference between health and health care. Health is the responsibility of all levels of government.

The Prime Minister will soon be meeting with the provincial and territorial premiers.

\* \* \*

[*English*]

**SMALL BUSINESS**

**Hon. Alice Wong (Richmond Centre, CPC):** Mr. Speaker, first the Liberals cancelled the small business tax cut. Then they decided to cancel the hiring credit and raise CPP premiums, which will make it difficult for employers to hire new staff. To make matters worse, the Liberals' new tax on everything will make it harder for small businesses to survive. The Liberals are determined to make job creators pay for their reckless spending.

How can the minister justify this treatment of our small businesses?

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, I am happy to take this question. I would like to address one particular issue in that question, and that is around the Canada pension plan.

We were so proud to work together with nine provinces to come up with a Canada pension plan enhancement. What that is going to do for small businesses, we know, is to allow them to put in place a very gradual increase in contributions from employees and from companies, a contribution that will go from 2018 to 2025. We put in place a long implementation plan that will allow us to increase the amount of retirement security for Canadians, enabling small businesses to keep their employees comfortable for the long term.

**Hon. Alice Wong (Richmond Centre, CPC):** Mr. Speaker, our small business owners are our middle class and are being attacked by the Liberals' policies.

With this week marking small business week, can the minister assure small business owners that the Liberals will do the right thing and reinstate the small business tax cut?



*Oral Questions*

**Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.):** Mr. Speaker, I am so proud to stand on this day to answer the member's question, especially because it is small business week. Small business week was started 37 years ago under the leadership of the Business Development Bank, a bank exclusively committed to small business owners.

This government has lowered taxes on middle-class Canadians. Middle-class Canadians are our small business owners, they are our consumers, and they are the people who support the backbone of the Canadian economy.

This government has invested \$11.9 billion in infrastructure spending. This government has invested \$500 million in broadband for rural and remote areas, and the list goes on.

[Translation]

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** Mr. Speaker, 10.5 million Canadians currently work for small and medium-sized businesses. Conservatives know that small businesses are the key to economic development. They are the ones creating jobs, and they are the ones creating wealth.

The Liberal carbon tax is bad enough for small businesses. Breaking election promises is even worse.

Mr. Speaker, since you yourself were a candidate, I am sure you will remember that, about a year ago, the Liberal Party made the following promise on page 80 of its platform: “[we will] reduce the small business tax rate to 9 percent from 11 percent”.

Will the Minister of Finance give his word today that he will keep that election promise?

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, I want to welcome my colleague to his new portfolio. I am sure we will be getting plenty of good questions.

Our goal is to generate a higher economic growth rate. That is why we decided to invest in the future. We have invested in infrastructure. Those investments will help our economy and make things better for small and medium-sized businesses. Things will be better for Canadian families and better for the Canadian economy.

[English]

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** Mr. Speaker, I want to thank my hon. colleague for his kind words, but it is not that what he is saying is good just because he is answering in French, not at all.

[Translation]

What we are asking is that the Liberal Party live up to its commitment. Maintaining the small business tax rate at 11% instead of dropping it to 9%, as promised, is going to cost small businesses \$800 million. That is an extra \$800 million in the government's coffers, which is not good, and \$800 million less for businesses to invest in employment.

Why is the government not keeping its election promise?

• (1435)

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, we know that what matters most is having a strong economy, an

economy that works, and a level of economic growth that provides opportunities for small and medium-sized businesses as well as for large corporations. That is our goal.

We have made investments in the future that will put our economy in a better position than it was before, for the past decade.

[English]

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, small businesses employ 8.2 million workers. Those jobs are a ticket to the middle class for the young, the poor, and the disabled, yet the Prime Minister not only broke his promise and raised small business taxes, he is imposing thousands of dollars in new carbon taxes on small trucking, landscaping, and construction companies.

If it is not just a money grab, why will the government not make it revenue neutral? Why does it not cut small business taxes so that our job creators will get back every single penny they pay in new carbon taxes?

**Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, I am very pleased to stand up today on Persons Day. It is a very important day, and I am so pleased that there are so many women in the House of Commons. I certainly hope to see more.

I want to explain to the member opposite why a carbon tax, a carbon price on pollution, makes sense. There are different ways to do it. We can have a direct price on pollution, like B.C. does, that is revenue-neutral, where the money is given back to the provinces or territories, or we can have a cap-and-trade system, like Ontario has.

It is up to the provinces and territories to determine what makes sense for them, what to do with the revenues, and this—

**The Speaker:** The hon. member for Carleton.

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**POVERTY**

**Hon. Pierre Poilievre (Carleton, CPC):** Mr. Speaker, giving the money to Kathleen Wynne to spend does not make it revenue neutral.

Today, at the human resources committee, a Stats Canada official admitted that any policy that raises food and fuel prices pushes more people below the poverty line. That makes sense. Poor households spend a third more of their income on those items than do rich households, yet ESDC officials admitted at the same committee meeting that the Prime Minister has not even directed his government to conduct a study on the impacts on the poor of this new tax.

How can the Prime Minister impose such a regressive and large new tax without—

*Oral Questions*

**The Speaker:** The hon. Minister of Environment and Climate Change.

**Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, once again, I am very pleased to stand up today.

Let me be clear. Provinces are able to design a system that makes sense for them, and it is revenue neutral. They can determine whether they want to give tax cuts to consumers, to small businesses, as B.C. has done.

Let us also be clear that the way we are going to grow our economy and position ourselves for the 21st century is by making these investments, by making sure that we have a price on pollution and we are investing in the things that we want, which is a clean and sustainable future that will grow our economy and ensure that future generations have a planet that is clean and healthy to—

**The Speaker:** The hon. member for Berthier—Maskinongé.

\* \* \*

[Translation]

**INTERNATIONAL TRADE**

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, yesterday, the Minister of International Trade demonstrated that she continues to dismiss the concerns of Quebecers about the repercussions of this free trade agreement.

After promising transparency and consultation, she continues to ignore Canadians. It is no wonder that she is facing challenges in her negotiations in Europe. Quebec dairy producers have expressed serious concerns about this agreement, and there is still no sign of any compensation.

Will the minister finally fix this deal for Quebecers and Canadians once and for all?

**Hon. Chrystia Freeland (Minister of International Trade, Lib.):** Mr. Speaker, our government is working hard to get this progressive trade deal done, led by Quebec. This deal is supported by the provinces.

Last month, I addressed the German Social Democratic Party convention, whose members voted overwhelmingly in favour of CETA. Manuel Valls, the socialist Prime Minister of France, described the deal as balanced, win-win, and mutually beneficial.

Is there any free trade deal that the NDP actually supports?

• (1440)

[English]

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, the only country I heard missing from the minister's comment was Canada.

The EU has delayed its vote on CETA as concerned Belgians refused to cave to pressure. Worries about the impact of rules that allow companies to sue local governments should not be dismissed. However, the minister continues to downplay its concerns and chastise Europe, when she should be working on a solution that would benefit all.

Instead of trying to bully Europeans, will the minister admit that Canadians share these concerns and put the work into fixing this deal?

**Hon. Chrystia Freeland (Minister of International Trade, Lib.):** Mr. Speaker, our government is very proud to be working hard to get this progressive trade deal done. This deal is supported by the provinces, led by Quebec, and the last time I checked, Quebec was very much a part of Canada.

Last month, after I addressed its party convention, the German Social Democrats voted overwhelmingly in favour of this deal. Manuel Valls, the socialist Prime Minister of France, described it as “balanced”, “win-win”, and “mutually beneficial”.

If the NDP cannot support a trade agreement with Europe, is there any trade deal that the NDP can support?

\* \* \*

**TAXATION**

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, the Liberals are making Alberta's dire situation worse. Medicine Hat's food bank use is up by over 300% this year over last. Another program for new mothers ballooned from 10 to 256 users during the same time. The Liberals are imposing a harmful tax that will make food, diapers, formula, and everything even more expensive for everyone.

Why do the Liberals not realize that they are hurting struggling Albertans at the very worst time?

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, I would encourage the hon. member to speak to some of the Albertans that she is speaking about, because she would find that they have actually had a reduction in taxes this year, which has gone to help their families—

**Some hon. members:** Oh, oh!

**The Speaker:** Order. Members know that they are not allowed to interrupt when a member is speaking. They should wait their turn, whenever that may come, the member for Abbotsford included.

The Minister of Finance.

**Hon. Bill Morneau:** Mr. Speaker, we have lowered taxes for Albertans this year. We have made sure that people have more money in their pockets this year than they had last year.

We have actually made it such that 300,000 children across this country will be lifted out of poverty with the Canada child benefit. This is an enormous change for those people who are challenged and have to go to food banks. We are making changes that are making a real difference for people struggling to get by. For people in regions that are in very difficult shape, we have changed EI—

**The Speaker:** The hon. member for Lakeland.

**Mrs. Shannon Stubbs (Lakeland, CPC):** Well, thanks for the mansplain.

Mr. Speaker, just reciting the same talking points is not cutting it.

In once booming Lloydminster, people cannot afford to keep their homes and they cannot afford to buy new ones. Businesses are closed, projects are frozen, and people have lost their jobs. There are two million square feet of vacant industrial space, up from nearly zero in just the last few years.

A strong Alberta means a strong Canada. When will the Liberals stop making things so much worse for hard-working Albertan families?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.):** Mr. Speaker, our government understands the importance of Alberta to the Canadian economy, which is why, under the leadership of the finance minister, we provided a \$250-million stabilization fund, assistance for EI, investments in infrastructure, which were historic, leadership on Fort McMurray, an investment of \$225 million in post-secondary educational institutes, and an investment of \$500 million through the Business Development Bank of Canada for better access and support for small businesses.

None of this would be possible without the outstanding work of the four MPs from Alberta.

\* \* \*

#### EMPLOYMENT

**Mr. Matt Jeneroux (Edmonton Riverbend, CPC):** Mr. Speaker, as the Liberals are busy creating taxes on everything from heating bills to Netflix, unemployed Albertans are struggling to provide for their families. In places like Medicine Hat, they are facing staggering unemployment rates of over 11%, yet the Liberals continue to ignore and tell Albertan workers to line up for EI and hang in there.

My question to the minister is a simple one. Does he recognize that there is a jobs crisis in Alberta?

**Hon. Bill Morneau (Minister of Finance, Lib.):** Mr. Speaker, we recognize that there is a very real challenge in Alberta. There is a very real challenge with the changing resources prices that are impacting Albertans in a very difficult way. That is why we know we need to make investments that are going to make a real difference for people in Alberta and across the country.

We have improved the financial situation of middle-class families and those struggling to get into it, and now we are making investments that are going to improve the long-term health of our economy. We will continue to do this so that people in Alberta and across the country find themselves with a brighter future tomorrow than they had yesterday.

• (1445)

**Mr. Matt Jeneroux (Edmonton Riverbend, CPC):** Mr. Speaker, I would remind the minister that people need jobs to pay taxes.

The fact is that Alberta is Canada's economic engine and our engine is stalled. Families in Fort McMurray are struggling to rebuild their lives. Small businesses in my city of Edmonton are shutting down. Parents in Medicine Hat have to choose between paying their heating bill or putting their kids in hockey.

Does the minister think it is fair that Albertans are facing these tough decisions, yet the Liberals continue to spend recklessly and add more taxes on an already struggling Alberta?

#### Oral Questions

**Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.):** Mr. Speaker, we all know that families in Alberta are struggling and we are working really hard to improve the situation. Since taking over this portfolio, I have approved more than 70 infrastructure projects for Alberta with a combined investment of more than \$3 billion, much more than the previous government was able to do in the last five years.

We are working really hard. We understand the conditions in Alberta. We are working closely with the province and the municipalities to build the necessary infrastructure.

\* \* \*

[Translation]

#### FOREIGN AFFAIRS

**Ms. H el ene Laverdi ere (Laurier—Sainte-Marie, NDP):** Mr. Speaker, on October 8, a Saudi Arabian-led coalition bombed a funeral in Yemen, killing and wounding hundreds of civilians.

I have two questions for the government. First, will Canada support the UN request for an international investigation of what appear to be war crimes committed by the Saudi coalition in Yemen? Second, can the government assure us that no Canadian-made weapons are being used by this coalition in Yemen?

**Hon. St ephane Dion (Minister of Foreign Affairs, Lib.):** Mr. Speaker, we spoke out strongly against the bombing in Yemen by the Saudi Arabian-led coalition. We gave a very clear statement, and I can certainly repeat it in the House and say how much we condemn what has happened.

We are calling for an investigation and we are monitoring the situation very closely to ensure that arms sold by Canadian companies are used with respect for human rights and in the interests of Canada and its allies.

[English]

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Mr. Speaker, the Liberals say they are doing nothing to facilitate the sale of armoured vehicles to Saudi Arabia, but not only did the Minister of Foreign Affairs sign the export permits himself, now we learn the Department of National Defence will be performing quality checks on the armoured vehicles before export. It is clear the government is not just supporting this arms deal but it is also giving the Saudis training and a quality guarantee.

Why is DND involved in testing these vehicles for Saudi Arabia? Is this why the Liberals are so afraid of the oversight of arms sales?

**Hon. Harjit S. Sajjan (Minister of National Defence, Lib.):** Mr. Speaker, there is a provision service in place with the Department of National Defence to support our Canadian companies in the defence sector.

*Oral Questions***AGRICULTURE AND AGRI-FOOD**

**Mr. Darshan Singh Kang (Calgary Skyview, Lib.):** Mr. Speaker, Canada's beef farmers and ranchers are the best in the world. With over 68,000 beef farms, our farmers produce some of the best quality products in the world while contributing over \$30 billion to the economy.

My question is for the Minister of Agriculture. What has our government done to boost the bottom line for Canada's world-class beef producers?

**Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, I want to thank the member for Calgary Skyview for his concern.

Our government knows that Canadian beef farmers and ranchers are the best in the world. We proudly secured market access for our beef producers in Taiwan, South Korea, Mexico, and China, as well as securing the repeal of COOL with the United States. This success will help create jobs and grow the middle class in Alberta and across the country.

I can assure my hon. colleague that this government will support farmers in Alberta and across the country every time.

\* \* \*

**NATIONAL DEFENCE**

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Mr. Speaker, this summer the official opposition held over 50 round tables and received over 700 submissions on the defence policy review. This morning we submitted our findings to the Minister of National Defence.

Canadians said through this process that they are concerned that the Liberals have pre-established their own defence policy. The Liberals have already blindly returned to peacekeeping, pulled out of the combat mission against ISIS, and massively cut the defence budget.

Will the government reverse course today and start listening to Canadians and implement a defence policy that reflects their priorities?

• (1450)

**Hon. Harjit S. Sajjan (Minister of National Defence, Lib.):** Mr. Speaker, as I stated from the beginning, my office is always open. I am glad that the member opposite was able to provide the opposition's submission, which I have here and look forward to reading.

As I went across Canada with the defence policy review, I heard from Canadians. One thing that we did hear was that Canadians are very proud of the work of the Canadian Armed Forces. When it comes to peace operations, something we heard consistently across the board was that Canadians support these operations. There was a poll out that showed 70% of Canadians support peace operations.

I look forward to working with the member. I hope some of this work gets done in this review. Those members could have—

**The Speaker:** Order, please.

The hon. member for Selkirk—Interlake—Eastman.

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC):** Mr. Speaker, from the defence policy review consultations, it became very clear that Canadians want the minister to depoliticize the entire military procurement process, yet the Liberals' campaigned specifically on excluding one company from the replacement of Canada's CF-18s.

Will the minister reverse the Prime Minister's campaign promise that disallowed the F-35 from consideration and allow Lockheed Martin to compete in a fair competition? Will the minister remove all political interference from all defence procurement projects?

**Hon. Harjit S. Sajjan (Minister of National Defence, Lib.):** Mr. Speaker, we will make sure the Canadian Armed Forces has the right aircraft. We are going through a very thorough process, a process that the previous government should have fixed a long time ago.

I look forward to fixing a lot of the cuts that were done previously, over \$4 billion in cuts, but I do look forward to working with all members in supporting the Canadian Armed Forces and the missions abroad.

[*Translation*]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, as my colleague said, we held more than 50 round tables and received more than 700 online submissions. We consulted Canadians.

We heard the same thing from everyone: the Canadian Forces must protect Canada and our interests. Canada must maintain a combat force. Canadians do not want the Canadian Forces to become a division of the United Nations.

Notwithstanding the Liberals' nostalgia for peace missions, can the minister confirm that he plans to maintain combat-ready armed forces?

[*English*]

**Hon. Harjit S. Sajjan (Minister of National Defence, Lib.):** Mr. Speaker, I am glad that the member and all the members of the House were able to do defence consultations. We do have a responsibility to the world. We have a commitment to work in a multilateral environment. The Canadian Armed Forces does play a critical role in terms of our foreign policies as well.

Our Canadian Armed Forces will always be at a combat-ready posture. That is something I said when I launched the consultation. That will always remain in place, while making sure that the Canadian Armed Forces has the right equipment to do its job anywhere in the world.

[*Translation*]

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, the Canadians that we talked to and listened to throughout the process were clear. They are sick of seeing certain governments slash the budget of the Canadian Armed Forces just for political gain. They want the government to provide the Canadian Forces with stable and predictable long-term funding.

*Oral Questions*

Are the Liberals going to take a different approach from that of the Jean Chrétien Liberals and respect Canadians' desire to provide the Canadian Forces with a stable and predictable budget?

[*English*]

**Hon. Harjit S. Sajjan (Minister of National Defence, Lib.):** Mr. Speaker, after the cuts from the previous government, we understand that we need to have predictable funding. That is something I do agree with the member on.

As we complete our defence policy review, we are looking at the various options for making sure that the Canadian Armed Forces are supported so that we have a proper increase in funding that is predictable so that the Canadian Armed Forces can plan for the next 10 to 20 years.

\* \* \*

[*Translation*]

**STATUS OF WOMEN**

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Mr. Speaker, today, we are celebrating Persons Day. This day marks the moment when the legal definition of person was finally broadened to include women.

Unfortunately, still today, only 26% of the members of the House of Commons are women. For that reason, the NDP introduced a bill that will put measures in place to encourage more women to get involved in politics.

Eighty-seven years later, will this government support our bill and finally put these measures in place?

[*English*]

**Hon. Maryam Monsef (Minister of Democratic Institutions, Lib.):** Mr. Speaker, it is a great privilege to rise on this traditional Algonquin territory on Persons Day with my hon. colleagues. I want to thank the party opposite, and specifically, the member who brought forward the private member's bill addressing gender parity. We have made a clear commitment to gender parity in this government. Our Prime Minister has been leading as a feminist around the world.

We are not interested in just having more women run. We want more women winning and we want more women succeeding once they come here. There are many ways that the House can do that, including family-friendly initiatives, as well as improving the tone and the civility in this place.

With that in mind, I look forward to working with the member opposite.

• (1455)

**Mr. Kennedy Stewart (Burnaby South, NDP):** Mr. Speaker, the Liberals have to do more than just call themselves feminists; they need to take action here. For example, in 1929, the legal definition of "person" was expanded to include women. One would think that after 87 years we would have reached gender equity in all aspects of public life, including right here in the House of Commons, but there is only 26% women in the House. That places Canada 64th in the world, behind countries like Iraq and Afghanistan.

If the Liberals are serious about getting more women into politics, will they support my bill on candidate gender equity, yes or no?

**Hon. Maryam Monsef (Minister of Democratic Institutions, Lib.):** Mr. Speaker, I thank the hon. member for his commitment. It is truly due to the work of individuals who have come before us that persons like me can have an opportunity to not just participate but to create laws in this place. Our government has shown action on gender parity. We have a gender-balanced cabinet. We have been asked in all our mandate letters to focus on gender parity and address gender analysis.

While I cannot support the member's bill, I believe it is important to wait until the Special Committee on Electoral Reform proposes changes to the election system, and then we can address this conversation through a different means.

\* \* \*

**FOREIGN AFFAIRS**

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, the Minister of Foreign Affairs says he is very concerned about possible Russian cyber attacks on Canada, this after U.S. accusations that the Kremlin tried to subvert the American political process. The minister says he is worried that Canada may be next.

As Russia bombs civilian hospitals in Aleppo, as the U.S. and the U.K. consider new sanctions against Russia, as Russia militarizes the Arctic, and as the minister suddenly recognizes the threat of Russian hack attacks, why does he think he can reason with the Putin regime?

**Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.):** Mr. Speaker, all our allies and NATO itself as an organization have two policies regarding Russia: strong deterrence and dialogue. Canada will do the same.

Canada made a mistake in the last 10 years to cut the dialogue. We need to keep the dialogue open. We did it in the past and it paid off, and it will continue to do so. It is part of the solution. Obviously, we have strong concerns about the attitude of Russia around the world. We condemn its attitudes regarding Ukraine and Syria, and we will say so directly to Russia.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, the United Nations Human Rights Council is only as strong as the member nations elected to serve, but again today, notorious human rights abusers, who have corrupted and compromised the council's work and its reputation, are standing for election. The vote is secret, and vote trading for future favours has undermined the selection process.

Will the Liberals demonstrate the leadership needed to rescue this rogue UN body and share Canada's voting intentions with Canadians and with the world?

**Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.):** Mr. Speaker, our government seeks to maximize the number of Human Rights Council member countries with strong human rights records at home and abroad. We want to increase the strength and the quality of the Human Rights Council, an institution that will benefit from the reforms that we will push for.

*Oral Questions*

[Translation]

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, some of the worst human rights abusers are bidding for a seat on the UN Human Rights Council. So far, the government is refusing to say how it will vote at the next meeting of the council on October 28. A number of human rights advocacy organizations have said that some countries should not be eligible for a seat because of their serious human rights abuses.

Can the Liberal government confirm that it will not vote in favour of Russia, Cuba, Saudi Arabia, or China obtaining a seat on the UN Human Rights Council?

**Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.):** Mr. Speaker, the Government of Canada is helping to ensure that the UN Human Rights Council is better and more effective at fighting human rights abuses. Human rights are universal rights. Every human has the same dignity and Canada will be there to improve the council's performance in all circumstances.

\* \* \*

● (1500)

[English]

**DISASTER ASSISTANCE**

**Mr. Andy Fillmore (Halifax, Lib.):** Mr. Speaker, many communities in Nova Scotia are reeling from the devastating storm that hit Atlantic Canada last week. While some areas were impacted more and some areas impacted less, all communities are dealing together with the fallout, both short and long term. Many homes, businesses, and infrastructures sustained major damage beyond any repair. The damage has been estimated in excess of \$10 million.

Could the minister update the House on the measures the government will take to help Nova Scotians?

**Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.):** Mr. Speaker, last weekend, I met with many Cape Bretoners along with both members of Parliament from the island, four MLAs, the premier, and ministers to see first hand the aftermath of Hurricane Matthew. Many in Nova Scotia and in Newfoundland and Labrador have been hit very hard, but they are resilient people. Neighbours are helping neighbours, and they are ready to rebuild.

The Government of Canada has received and replied to requests for disaster financial assistance from both provinces. Our officials are now working on identifying all of the eligible costs, and once that work is complete, we will ensure that both provinces receive all of their funding just as quickly as possible.

\* \* \*

**TRANSPORT**

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Mr. Speaker, inexplicably, Canadian catering companies are being denied access to the Vancouver International Airport. Only two foreign caterers have been granted operating licences. It just does not make sense that a Canadian airport is not allowing Canadian businesses to operate within its space. The Competition Bureau agrees, but the airport refuses to budge.

Will the Minister of Transport back the bureau and support the Canadian companies that are being shut out of Vancouver airport?

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, I thank the member for her question, and I will look into the matter.

\* \* \*

**THE ENVIRONMENT**

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, Inuit and their Innu supporters in Labrador are raising serious concerns about the impacts of flooding at Muskrat Falls. The failure to clear vegetation threatens to poison their waters, and the situation is escalating. Yesterday, nine people were arrested, including elders, and two are on hunger strikes. The Liberals said they would bring renewed respect to relations with indigenous peoples. They need to walk the talk.

What is the government doing to address the situation at Muskrat Falls?

**Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.):** Mr. Speaker, I understand that the Government of Newfoundland and Labrador is working with the proponent indigenous peoples and stakeholders with respect to this project. We expect the province to assume its responsibilities to ensure the health and safety of communities.

\* \* \*

[Translation]

**RAIL TRANSPORTATION**

**Hon. Denis Paradis (Brome—Missisquoi, Lib.):** Mr. Speaker, people in my riding, Brome—Missisquoi, are concerned about rail safety, particularly in the Montreal-Sherbrooke corridor.

Can the Minister of Transport tell us what progress he has made toward fulfilling his mandate to improve rail safety?

**Hon. Marc Garneau (Minister of Transport, Lib.):** Mr. Speaker, I thank my colleague from Brome—Missisquoi for that important question.

As he knows, rail safety is my priority. That is why I was pleased to make an announcement last week about \$55 million in funding over three years for rail safety to support safety improvements at grade crossings and a rail safety awareness program because 46 people were killed on our railroads last year.

Rail safety is this government's top priority.

*Government Orders*

[English]

**HEALTH**

**Mr. Len Webber (Calgary Confederation, CPC):** Mr. Speaker, the fentanyl crisis is getting worse, and the Liberals are ignoring the obvious. China is the primary source of illicit fentanyl in Canada. The Liberals would rather deal with deadly street drugs after they are in the hands of Canadians, instead of targeting the source. This morning, we attempted to have the Chinese ambassador appear before committee to explain what his government is doing to help Canada tackle this deadly drug epidemic.

Why is pleasing the Chinese government more important to the Liberals than saving the lives of Canadians?

**Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.):** Mr. Speaker, our government is deeply concerned about the growing number of overdoses and deaths caused by opioids. We launched a five-point action plan to address opioid misuse, and in November the Minister of Health will be hosting a summit on opioids, bringing together experts, patient groups, governments, and regulators to discuss the current crisis and identify actions moving forward. We will continue to work with our partners to implement the action plan and to combat this problematic substance abuse all across Canada.

[Translation]

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Mr. Speaker, how many times do we have to say it? Health care is not a federal responsibility. That should not be hard to understand.

It took the Liberals less than a year to start squabbling with Quebec over jurisdiction again. This time, it is at the expense of Quebec patients. That is appalling.

Will the Liberal government stop its arrogant power-tripping immediately and let Quebec run the health system for which it alone is responsible?

● (1505)

[English]

**Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.):** Mr. Speaker, Canadians expect that their governments will work together and that the increased investments for health care will actually go straight to health care. That is exactly why the Minister of Health is sitting down with her provincial and territorial counterparts as we speak and collaborating with all our partners on health innovation, improved accessibility, and making prescription drugs more affordable for all Canadians.

[Translation]

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Mr. Speaker, by what authority does the Prime Minister claim the right to lecture Quebec on managing health care? How many Ottawa hospitals does he run? Which government do CLSCs, clinics, and hospitals answer to? Who pays the doctors and nurses who care for the sick?

Ottawa is acting like an armchair quarterback. It does not know what it is talking about or how to play the game.

Will the Prime Minister stop power tripping, transfer the money that Quebec is asking for, and start minding its own business once and for all?

[English]

**Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.):** Mr. Speaker, Canadians expect us to ensure that investments for health care go straight to health care. The federal government's planned increases to health care transfers are greater than the provincial governments' own projected spending growth.

The Minister of Health is meeting with health ministers from across the country as we speak and reiterating our government's commitment to stable and predictable health funding.

We will continue working with the provinces and territories to build a health care system that all Canadians can be proud of.

\* \* \*

**PRESENCE IN THE GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of the Honourable Tom Osborne, Speaker of the Newfoundland and Labrador House of Assembly.

**Some hon. members:** Hear, hear!

**GOVERNMENT ORDERS**

[Translation]

**CANADA LABOUR CODE**

The House resumed from October 7 consideration of the motion that Bill C-4, An Act to amend the Canada Labour Code, the Parliamentary Employment and Staff Relations Act, the Public Service Labour Relations Act and the Income Tax Act, be read the third time and passed, and of the amendment.

**The Speaker:** It being 3:07 p.m., pursuant to order made on Friday, October 7, 2016, the House will now proceed to the taking of the deferred recorded division on the amendment of the member for Lévis—Lotbinière to the motion for third reading of Bill C-4.

Call in the members.

[And the bells having rung:]

The question is on the amendment.

● (1515)

(The House divided on the amendment, which was negated on the following division:)

(Division No. 124)

**YEAS**

## Members

Albrecht	Allison
Ambrose	Anderson
Arnold	Barlow
Bergen	Bernier
Berthold	Bezan
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boucher	Brassard
Brown	Calkins
Carrie	Chong
Clement	Cooper
Deltell	Diotte

*Business of Supply*

Doherty  
Eglinski  
Fast  
Gallant  
Genuis  
Godin  
Harder  
Jeneroux  
Kent  
Kmiec  
Lauzon (Stormont—Dundas—South Glengarry)  
Liepert  
MacKenzie  
McColeman  
Nater  
Nuttall  
Paul-Hus  
Raitt  
Reid  
Richards  
Saroya  
Schmale  
Shipley  
Sorenson  
Strahl  
Sweet  
Van Kesteren  
Vecchio  
Warawa  
Waugh  
Wong  
Zimmer — 85

Dreeshen  
Falk  
Finley  
Généreux  
Gladu  
Gourde  
Hoback  
Kelly  
Kitchen  
Lake  
Lebel  
Lobb  
Maguire  
McLeod (Kamloops—Thompson—Cariboo)  
Nicholson  
Obhrai  
Poilievre  
Raves  
Rempel  
Ritz  
Scheer  
Shields  
Sopuck  
Stanton  
Stubbs  
Trost  
Van Loan  
Wagantall  
Warkentin  
Webber  
Yurdiga

Hutchings  
Johns  
Jones  
Jowhari  
Kang  
Khera  
Lametti  
Lapointe  
Laverdière  
Lebouthillier  
Lemieux  
Levitt  
Lockhart  
Longfield  
MacAulay (Cardigan)  
Malcolmson  
Masse (Windsor West)  
Mathysen  
May (Saanich—Gulf Islands)  
McCrimmon  
McGuinty  
McKenna  
McLeod (Northwest Territories)  
Mihychuk  
Soeurs)  
Monsef  
Morneau  
Mulcair  
Nantel  
Nault  
Oliver  
Ouellette  
Pauzé  
Petipas Taylor  
Plamondon  
Quach  
Ramsey  
Rioux  
Rodriguez  
Rota  
Ruimy  
Saganash  
Saini  
Samson  
Sansoucy  
Scarpaleggia  
Schulte  
Sgro  
Sidhu (Mission—Matsqui—Fraser Canyon)  
Sikand  
Spengemann  
Stetski  
Tabbara  
Tassi  
Trudeau  
Vandal  
Virani  
Wilson-Raybould  
Young

Iacono  
Jolibois  
Jordan  
Julian  
Khalid  
Kwan  
Lamoureux  
Lauzon (Argenteuil—La Petite-Nation)  
LeBlanc  
Lefebvre  
Leslie  
Lightbound  
Long  
Ludwig  
MacGregor  
Maloney  
Massé (Avignon—La Mitis—Matane—Matapédia)  
May (Cambridge)  
McCallum  
McDonald  
McKay  
McKinnon (Coquitlam—Port Coquitlam)  
Mendès  
Miller (Ville-Marie—Le Sud-Ouest—Île-des-  
Moore  
Morrissey  
Murray  
Nassif  
O'Connell  
O'Regan  
Paradis  
Peterson  
Picard  
Poissant  
Qualtrough  
Rankin  
Robillard  
Romanado  
Rudd  
Rusnak  
Sahota  
Sajjan  
Sangha  
Sara  
Schiefke  
Serré  
Sheehan  
Sidhu (Brampton South)  
Sohi  
Ste-Marie  
Stewart  
Tan  
Thériault  
Trudel  
Vandenbeld  
Wilkinson  
Wrzesnewskyj  
Zahid — 210

## NAYS

## Members

Aldag  
Alleslev  
Anandasangaree  
Arseneault  
Ashton  
Ayoub  
Bagnell  
Barsalou-Duval  
Beech  
Benson  
Bittle  
Blair  
Boissonnault  
Boudrias  
Boutin-Sweet  
Breton  
Brosseau  
Cannings  
Carr  
Casey (Charlottetown)  
Champagne  
Chen  
Christopherson  
Cullen  
Dabrusin  
Dhaliwal  
Di Iorio  
Donnelly  
Dubourg  
Duncan (Etobicoke North)  
Ehsassi  
Ellis  
Eyolfson  
Fillmore  
Fisher  
Foote  
Fragiskatos  
Fraser (Central Nova)  
Fuhr  
Garrison  
Gill  
Goodale  
Graham  
Hardcastle  
Harvey  
Holland  
Hughes

Alghabra  
Amos  
Angus  
Arya  
Aubin  
Badawey  
Bains  
Baylis  
Bennett  
Bibeau  
Blaikie  
Blaney (North Island—Powell River)  
Bossio  
Boulerice  
Bratina  
Brison  
Caesar-Chavannes  
Caron  
Casey (Cumberland—Colchester)  
Chagger  
Chan  
Choquette  
Cormier  
Cuzner  
DeCoursey  
Dhillon  
Dion  
Drouin  
Duguid  
Duvall  
El-Khoury  
Erskine-Smith  
Fergus  
Finnigan  
Fonseca  
Fortin  
Fraser (West Nova)  
Fry  
Gameau  
Gerretsen  
Goldsmith-Jones  
Gould  
Hajdu  
Hardie  
Hehr  
Housefather  
Hussen

Nil

**The Speaker:** I declare the amendment lost .

## PAIRED

\* \* \*

[English]

**BUSINESS OF SUPPLY**

## OPPOSITION MOTION—SOFTWOOD LUMBER AGREEMENT

The House resumed from October 17 consideration of the motion.

**The Speaker:** Pursuant to order made on Monday, October 17, 2016, the House will now proceed to the taking of the deferred recorded division on the motion relating to business of supply.



● (1525)

(The House divided on the motion, which was negated on the following division:)

*(Division No. 125)*

**YEAS**

Members

Albrecht	Allison
Ambrose	Anderson
Angus	Arnold
Ashton	Aubin
Barlow	Benson
Bergen	Bernier
Berthold	Bezan
Blaikie	Blaney (North Island—Powell River)
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boucher	Boulerice
Boutin-Sweet	Brassard
Brousseau	Brown
Calkins	Cannings
Caron	Carrie
Chong	Choquette
Christopherson	Clement
Cooper	Cullen
Deltell	Diotte
Doherty	Donnelly
Dreeschen	Duvall
Eglimski	Falk
Fast	Finley
Gallant	Garrison
Généreux	Genuis
Gladu	Godin
Gourde	Harcastle
Harder	Hoback
Hughes	Jeneroux
Johns	Jolibois
Julian	Kelly
Kent	Kitchen
Kniec	Kwan
Lake	Lauzon (Stormont—Dundas—South Glengarry)
Laverdière	Lebel
Liepert	Lobb
MacGregor	MacKenzie
Maguire	Malcolmson
Masse (Windsor West)	Mathysen
May (Saanich—Gulf Islands)	McColeman
McLeod (Kamloops—Thompson—Cariboo)	Moore
Mulcair	Nantel
Nater	Nicholson
Nuttall	Obhrai
Paul-Hus	Poilievre
Quach	Raït
Ramsey	Rankin
Rayes	Reid
Rempel	Richards
Ritz	Saganash
Sansoucy	Saroya
Scheer	Schmale
Shields	Shipley
Sopuck	Sorenson
Stanton	Stetski
Stewart	Strahl
Stubbs	Sweet
Trost	Trudel
Van Kesteren	Van Loan
Vecchio	Wagantall
Warawa	Warkentin
Waugh	Webber
Wong	Yurdiga
Zimmer— 125	

**NAYS**

Members

Aldag	Alghabra
Alleslev	Amos
Anandasangaree	Arseneault
Arya	Ayoub

*Business of Supply*

Badawey	Bagnell
Bains	Barsalou-Duval
Baylis	Beech
Bennett	Bibeau
Bittle	Blair
Boissonnault	Bossio
Boudrias	Bratina
Breton	Brison
Caesar-Chavannes	Carr
Casey (Cumberland—Colchester)	Casey (Charlottetown)
Chagger	Champagne
Chan	Chen
Cornier	Cuzner
Dabrusin	DeCoursey
Dhaliwal	Dhillon
Di Iorio	Dion
Drouin	Dubourg
Duguid	Duncan (Etobicoke North)
Ehsassi	El-Khoury
Ellis	Erskine-Smith
Eyolfson	Fergus
Fillmore	Finnigan
Fisher	Fonseca
Foote	Fortin
Fragiskatos	Fraser (West Nova)
Fraser (Central Nova)	Fry
Fuhr	Gameau
Gerretsen	Gill
Goldsmith-Jones	Goodale
Gould	Graham
Hajdu	Hardie
Harvey	Hehr
Holland	Housefather
Hussen	Hutchings
Iacono	Jones
Jordan	Jowhari
Kang	Khalid
Khera	Lametti
Lamoureux	Lapointe
Lauzon (Argenteuil—La Petite-Nation)	LeBlanc
Lebouthillier	Lefebvre
Lemieux	Leslie
Levitt	Lightbound
Lockhart	Long
Longfield	Ludwig
MacAulay (Cardigan)	Maloney
Massé (Avignon—La Mitis—Matane—Matapédia)	
May (Cambridge)	McCrimmon
McCallum	McGuinity
McDonald	McKenna
McKay	McLeod (Northwest Territories)
McKinnon (Coquitlam—Port Coquitlam)	Mihychuk
Mendès	
Miller (Ville-Marie—Le Sud-Ouest—Île-des-Sœurs)	
Monsef	
Morneau	Morrissey
Murray	Nassif
Nault	O'Connell
Oliver	O'Regan
Ouellette	Paradis
Paupé	Peterson
Petitpas Taylor	Picard
Plamondon	Poissant
Qualtrough	Rioux
Robillard	Rodriguez
Romanado	Rota
Rudd	Ruimy
Rusnak	Sahota
Saini	Sajjan
Samson	Sangha
Sarai	Scarpaleggia
Schiefke	Schulte
Serré	Sgro
Sheehan	Sidhu (Mission—Matsqui—Fraser Canyon)
Sidhu (Brampton South)	Sikand
Sohi	Spengemann
Ste-Marie	Tabbara
Tan	Tassi
Thériault	Trudeau
Vandal	Vandenbeld
Virani	Wilkinson
Wilson-Raybould	Wrzesnewskyj
Young	Zahid— 170

## Government Orders

## PAIRED

Nil

**The Speaker:** I declare the motion defeated.

\* \* \*

[Translation]

## CANADIAN HUMAN RIGHTS ACT

The House resumed consideration of the motion that Bill C-16, An Act to amend the Canadian Human Rights Act and the Criminal Code, be read the second time and referred to a committee.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-16.

The question is as follows. Shall I dispense?

**Some hon. members:** Agreed.

**Some hon. members:** No.

[The Speaker read text of motion to House]

• (1535)

(The House divided on the motion, which was agreed to on the following division:)

## (Division No. 126)

## YEAS

## Members

Aldag	Alghabra
Alleslev	Ambrose
Amos	Anandasangaree
Angus	Arnold
Arseneault	Arya
Ashton	Aubin
Ayoub	Badawey
Bagnell	Bains
Barsalou-Duval	Baylis
Beech	Bennett
Benson	Bernier
Berthold	Bibeau
Bittle	Blaikie
Blair	Blaney (North Island—Powell River)
Blaney (Bellechasse—Les Etchemins—Lévis)	Boissonnault
Bossio	Boucher
Boudrias	Boulerice
Boutin-Sweet	Brassard
Bratina	Breton
Brisson	Brosseau
Brown	Caesar-Chavannes
Cannings	Caron
Carr	Casey (Cumberland—Colchester)
Casey (Charlottetown)	Chagger
Champagne	Chan
Chen	Chong
Choquette	Christopherson
Clement	Cooper
Cormier	Cullen
Cuzner	Dabrusin
DeCoursey	Deltell
Dhaliwal	Dhillon
Di Iorio	Dion
Diotte	Donnelly
Drouin	Dubourg
Duguid	Duncan (Etobicoke North)
Duvall	Eglinski
Ehsassi	El-Khoury
Ellis	Erskine-Smith
Eyolfson	Fergus
Fillmore	Finnigan
Fisher	Fonseca

Footé	Fortin
Fragiskatos	Fraser (West Nova)
Fraser (Central Nova)	Fry
Fuhr	Gameau
Garrison	Généreux
Gerretsen	Gill
Gladu	Godin
Goldsmith-Jones	Goodale
Gould	Gourde
Graham	Hajdu
Hardcastle	Hardie
Harvey	Hehr
Holland	Housefather
Hughes	Hussen
Hutchings	Iacono
Jeneroux	Johns
Jolibois	Jones
Jordan	Jowhari
Julian	Kang
Kelly	Khalid
Khera	Kwan
Lametti	Lamoureux
Lapointe	Lauzon (Argenteuil—La Petite-Nation)
Laverdière	Lebel
LeBlanc	Lebouthillier
Lefebvre	Lemieux
Leslie	Levitt
Liepert	Lightbound
Lockhart	Long
Longfield	Ludwig
MacAulay (Cardigan)	MacGregor
Maguire	Malcolmson
Maloney	Masse (Windsor West)
Massé (Avignon—La Mitis—Matane—Matapédia)	
Mathysen	
May (Cambridge)	May (Saenich—Gulf Islands)
McCallum	McCrimmon
McDonald	McGuinty
McKay	McKenna
McKinnon (Coquitlam—Port Coquitlam)	McLeod (Kamloops—Thompson—Cariboo)
McLeod (Northwest Territories)	Mendès
Mihychuk	Miller (Ville-Marie—Le Sud-Ouest—Île-des-Érables)
Soeurs)	
Monsef	Moore
Morneau	Morrissey
Mulcair	Murray
Nantel	Nassif
Nater	Nault
Nicholson	Obhrai
O'Connell	Oliver
O'Regan	Ouellette
Paradis	Pauzé
Peterson	Petitpas Taylor
Picard	Plamondon
Poissant	Quach
Qualtrough	Raitt
Ramsey	Rankin
Rayes	Reid
Rempel	Rioux
Robillard	Rodriguez
Romanado	Rota
Rudd	Ruimy
Rusnak	Saganash
Sahota	Saini
Sajjan	Samson
Sangha	Sansoucy
Sarai	Scarpaleggia
Schiefke	Schmale
Schulte	Serré
Sgro	Sheehan
Shields	Sidhu (Mission—Matsqui—Fraser Canyon)
Sidhu (Brampton South)	Sikand
Sohi	Spengemann
Stanton	Ste-Marie
Stetski	Stewart
Tabbara	Tan
Tassi	Thériault
Trudeau	Trudel
Vandal	Vandenbeld
Vecchio	Virani
Waugh	Webber
Wilkinson	Wilson-Raybould
Wrzesnewskyj	Young
Yurdiga	Zahid — 248

*Speaker's Ruling*

## NAYS

## Members

Albrecht	Allison
Anderson	Barlow
Bergen	Bezan
Block	Calkins
Carrie	Dreeshen
Falk	Fast
Finley	Genuis
Hoback	Kent
Kitchen	Kmiec
Lake	Lauzon (Stormont—Dundas—South Glengarry)
Lobb	MacKenzie
McColeman	Nuttall
Paul-Hus	Richards
Ritz	Scheer
Shiple	Sopuck
Sorenson	Strahl
Trost	Van Kesteren
Van Loan	Wagantall
Warawa	Warkentin
Wong	Zimmer— 40

## PAIRED

Nil

**The Speaker:** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

\* \* \*

[English]

## PRIVILEGE

## REPORT STAGE AMENDMENTS—SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the question of privilege raised on June 6, 2016, by the hon. member for Saanich—Gulf Islands concerning the rights of members from unrecognized parties to propose amendments to bills at report stage.

[Translation]

I would like to thank the hon. member for having raised the matter, as well as the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons and the member for Beloeil—Chambly for their comments.

[English]

In raising this question of privilege, the member for Saanich—Gulf Islands pointed out that independent members had once had the right to submit motions to amend bills at report stage. She contended that this situation changed when every committee adopted identical motions which required independent members instead to submit their amendments during clause-by-clause consideration of bills in committee. By committees doing so in concert, she surmised that they were no longer masters of their proceedings and had supplanted the role of the Standing Committee on Procedure and House Affairs, which has the mandate to review House procedures, including report stage. With different bills at different committees, she characterized the new process as "...impractical, unworkable, and prejudicial to my rights". She contended that the result of the procedure in question was that members from non-recognized parties were subject to a different category of rights and privileges.

[Translation]

The Parliamentary Secretary to the Leader of the Government in the House of Commons suggested that, on the contrary, the member's ability to participate in the process of amending legislation and thus discharge her parliamentary functions, has been facilitated by committees having adopted such motions so as to allow members from non-recognized parties to propose amendments in committee.

● (1540)

[English]

The matter raised by the member for Saanich—Gulf Islands calls into question the legitimacy of the manner in which members from non-recognized parties are required to participate in the process of amending legislation. The member is asking the Chair to agree that there is greater legitimacy in allowing such members to propose their amendments at report stage rather than in committee.

[Translation]

As has always been the case, there are two opportunities in the legislative process for members to propose amendments to the actual text of a bill—first, during a committee's clause-by-clause consideration of a bill and, second, at report stage. That is not to say that both opportunities are the same in all respects. In fact, over time our rules and practices have evolved such that committees are and have been for some time the primary vehicle for amending legislation. Speaker Milliken's ruling of March 21, 2001, emphasized this reality when he stated at page 1993 of the *House of Commons Debates*:

...I would strongly urge all members and all parties to avail themselves fully of the opportunity to propose amendments during committee stage so that the report stage can return to the purpose for which it was created, namely for the House to consider the committee report and the work the committee has done, and to do such further work as it deems necessary to complete detailed consideration of the bill.

[English]

In fact, modifications to Standing Order 76.1, adopted in 2001, provided that the Speaker would not normally select at report stage any amendments that were either previously ruled out of order in committee or that could have been proposed during the committee stage.

More recently, in a ruling delivered on June 9, 2015, on page 14830 of the *Debates*, my predecessor, the member for Regina—Qu'Appelle, reminded members that report stage:

...is not meant to be another opportunity for detailed consideration of the clauses of the bill. For this reason, the Chair rigorously limits the types of motions that could be considered at report stage. In so doing, the Chair rests on the presumption that a committee's clause-by-clause consideration provides ample opportunity to scrutinize the clauses of the bill and have amendments considered accordingly.

[Translation]

Thus, there can be no mistaking either the will of the House or the role of the Speaker when it comes to the purpose of report stage compared to that of committees with respect to amending legislation.

*Government Orders*

[English]

While the member for Saanich—Gulf Islands may recognize this in principle, she has argued that its practical application for members of non-recognized parties is fraught with difficulties, to the point of impeding her ability to fulfill her parliamentary functions. She has concluded that the adoption of identical motions by all committees constitutes proof that they are no longer masters of their own proceedings.

*House of Commons Procedure and Practice*, Second Edition, explains on page 1047:

[Translation]

The concept refers to the freedom committees normally have to organize their work as they see fit and the option they have of defining, on their own, certain rules of procedure that facilitate their proceedings.

[English]

As recently as May 9, 2016, in a report stage ruling, I addressed this very issue. In doing so, it was made clear that, as committees continue using their flexibility as masters of their proceedings to allow all members the opportunity to propose amendments, the Chair expects members, in turn, to avail themselves of that opportunity.

At page 3045 of *Debates*, I stated:

...the Chair will be stricter in exercising his authority at report stage. Unless truly exceptional circumstances arise, the Chair will not select report stage motions that could have been moved in committee. I encourage all members to make efforts to have amendments dealt with in committee, so that report stage does not become a repetition of the committee clause-by-clause study of a bill.

● (1545)

[Translation]

In being asked to determine the procedural validity of committees' actions in adopting these motions, the Chair is ever mindful of the longstanding practice that it must refrain from reaching into the internal procedures of committees, except where a committee reports back to the House requesting such intervention.

Thus, in the absence of a report from any of the committees about this matter, the Chair must presume that the correct procedures—including the requisite notice, debate, amendment and decision—were followed and that a majority of the members of each committee supported the adoption of the motions in question.

[English]

That committees are left to determine how best to proceed in order to carry out their mandate is an embedded principle. In a ruling delivered on June 6, 2013, on a similar motion adopted by the Standing Committee on Finance in the previous Parliament, my predecessor noted, on page 17797 of the *Debates*:

It should come as no surprise to members that the House and its committees frequently resort to procedural motions to facilitate the flow of business. Procedure in committee is particularly fluid and varied, and many committees routinely use a wide array of processes to organize their work.

[Translation]

In fact, committees frequently adopt substantive motions with text that is virtually identical on a variety of subjects. For instance, at an organization meeting, many committees adopt routine motions related to the distribution of documents to committee members, the treatment of in camera transcripts, the presence of staff during in

camera meetings, and the reimbursement of witnesses, to name a few. That these motions are often substantially similar or even identical speaks to the development of best practices in committee procedure and to the need for the adaptation of procedure to changing circumstances.

[English]

Moreover, the Chair is unable to conclude that the various committees, by way of adopting these motions, have in any way usurped the role of the Standing Committee on Procedure and House Affairs. In fact, the role of that committee remains distinct and intact, as its authority in reviewing procedures and practices continues to stand concurrently with, yet separately from, committees' authority to determine their internal procedures. It is only the House that could decide otherwise.

The role of the Speaker in protecting the rights and privileges of all members is indisputably of the highest importance and one that I take very seriously. In the present circumstances, the Chair believes that the right of members of non-recognized parties to amend legislation has neither been diminished nor removed. Instead, it has been safeguarded, albeit through a process that the member for Saanich—Gulf Islands evidently dislikes and finds difficult to manage.

Accordingly, I cannot find that a prima facie question of privilege exists in this case. I thank the House for its attention in this matter.

[Translation]

I wish to inform the House that, because of the deferred recorded divisions, government orders will be extended by 27 minutes.

\* \* \*

[English]

#### FOOD AND DRUGS ACT

The House proceeded to the consideration of Bill C-13, An Act to amend the Food and Drugs Act, the Hazardous Products Act, the Radiation Emitting Devices Act, the Canadian Environmental Protection Act, 1999, the Pest Control Products Act and the Canada Consumer Product Safety Act and to make related amendments to another Act, as reported (with amendment) from the committee.

**The Speaker:** There being no motions at report stage on this bill, the House will now proceed, without debate, to the putting of the question on the motion to concur in the bill at report stage.

**Hon. MaryAnn Mihychuk (for the Minister of International Trade)** moved that the bill be concurred in.

(Motion agreed to)

● (1550)

**The Speaker:** When shall the bill be read a third time? By leave, now?

**Some hon. members:** Agreed.

**Hon. MaryAnn Mihychuk (for the Minister of International Trade)** moved that the bill be read a third time and passed.

**Mr. David Lametti (Parliamentary Secretary to the Minister of International Trade, Lib.):** Mr. Speaker, I am pleased to have this opportunity to rise before the House today to speak to Bill C-13, legislation that would allow Canada to ratify the World Trade Organization's Agreement on Trade Facilitation, or TFA for short.

I would like to begin by thanking the Standing Committee on International Trade for its prompt and thorough review of Bill C-13 at the committee stage. Business associations appeared before the committee and raised a specific concern regarding a clause of the bill. I understand that the concern was rightfully addressed by the committee members through collaboration among themselves and with the business association in question, and they did this through an amendment, so I congratulate them.

I would also like to thank the hon. members opposite for recognizing the benefits of the TFA, and as a result, supporting this important piece of legislation.

The bill before us needs to be passed in a timely manner to allow Canada to implement our commitments under the TFA. As the first multilateral trade agreement concluded since the creation of the WTO more than two decades ago, the TFA is a monumental achievement for the global trading system. At its core, the agreement is about better, freer, and more open trade.

The world's developing and least-developed countries would particularly benefit from its trade-facilitation provisions, as would small and medium-sized enterprises in Canada and around the world.

Trade facilitation is essential for export competitiveness. The benefits of making it easier for goods to flow across borders are especially important in today's trading landscape, in which global production with value chains requires inputs and materials to clear customs in a timely fashion.

Some 95% of all companies worldwide are SMEs, and they, in particular, would benefit from the opening and easing of these kinds of restrictions.

[*Translation*]

Similarly, these businesses account for roughly half of the world's GDP and 70% of jobs globally when SMEs in formal and informal sectors are taken into account. However, gaining access to new markets is particularly difficult for SMEs and developing countries, which are disproportionately affected by trade costs.

Small businesses are less equipped and do not have the same resources as their larger competitors for dealing with heavy-handed and complex customs procedures. Related costs can be huge. In fact, a delay of just one day at the border can add 1% to the cost of a shipment.

Expediting release processes and customs clearance operations at international borders is therefore crucial to international trade. That is where the trade facilitation agreement comes in.

The TFA will help boost global trade by implementing measures to expedite the movement, release, and clearance of goods at the border. It also includes provisions to promote closer co-operation among the various border services.

### *Government Orders*

For exporting companies, the TFA will reduce the cost of trade activities on the international scene by ensuring faster, simpler, and more predictable cross-border trade.

For governments, the improvements brought about by the TFA will reduce the potential for corruption and reinforce the process for collecting tariff revenues, particularly in developing economies.

Creating the best conditions for international trade for developing countries is not just a worthy cause. It also comes with tangible economic benefits.

• (1555)

In fact, the WTO estimates that full implementation of the TFA could boost global merchandise exports by up to \$1 trillion, including the up to \$730 billion in export opportunities it will accrue to developing countries. The TFA should encourage trade between developing countries.

Trade costs for WTO members will decrease by an average of 14%, including an average of nearly 17% for least-developed countries.

Lowering trade costs for developing countries can increase trade, improve economic growth, and reduce poverty.

Here in Canada, less red tape on exports would help Canadian businesses, particularly SMEs, to export products to the fast-growing markets of Asia, Africa, and Latin America.

The TFA clearly represents a winning situation for Canada and the global trading community. Considering the benefits of the TFA for developed countries and developing countries alike, it is not surprising that the reaction from Canadian and foreign stakeholders has been beyond positive. The Business Council of Canada, the Canadian Chamber of Commerce, Canadian Manufacturers & Exporters, a great number of agriculture and agrifood associations, as well as the B20, a coalition of leaders from 25 countries, all agree that the TFA should be implemented quickly.

Canada is a trading nation with an export economy. Trade currently represents 60% of Canada's annual gross domestic product, and one in five jobs is dependent on exports. We know that trade helps to improve people's standard of living and stimulates prosperity.

[*English*]

Trade helps companies grow, succeed, be innovative, and be competitive. In turn, this creates good paying jobs for the middle class and those working hard to join it. But we want to grow trade the right way. We want to ensure that all segments of society can benefit from global economic opportunities. That is why our government is promoting inclusive and sustainable economic growth in Canada and around the world as part of its progressive trade agenda.

*Government Orders*

Ratifying the TFA is an important part of these efforts. The agreement would cut red tape at the border and help Canadian businesses as well as those in developing nations to take better advantage of global trading opportunities. In addition, through our active participation in WTO initiatives like this one, we underscore our support for stronger and more predictable international trade rules, as well as the multilateral instrument that is the WTO.

The TFA will not enter into force until two-thirds of WTO members have ratified it. As of today, more than 90 WTO members have ratified the agreement, including all of Canada's major trading partners. Only 16 more are needed. Canada is the only G7 country that has not yet ratified the TFA. We are also one of only four G20 countries that have not yet ratified it. Canada committed at last month's G20 leaders summit to ratify the TFA by the end of 2016. Canada should do its part to bring the TFA into force as soon as possible.

The Standing Committee on International Trade has completed its exhaustive review of Bill C-13. In my view, Bill C-13 is ready for consideration by the Senate. I urge my hon. colleagues to vote in favour of the bill today so that work to promptly enact this legislation can continue. Members' support for the bill before the House will allow Canada to ratify the TFA and join our international partners in making trade freer, easier, and more predictable.

• (1600)

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, I would agree with the hon. member that trade is really important for creating jobs, and I am interested in hearing more about the reduction in bureaucracy at the borders. I am in a border community, which is currently struggling with some of the things the federal government has put in place, including difficulties with the pre-notification system.

I would ask the member to comment on the bureaucratic reductions that are coming with the WTO.

**Mr. David Lametti:** Mr. Speaker, there is a wide swath of provisions in this bill. It would take forever to go through all of them.

Basically, it would make it easier for goods to get pre-clearance at customs and would also allow for goods in transit to a third country, through Canada to another nation or through other member nations, to get easier clearance. All of that fits together; hence, the reason that the implementing legislation touches a number of different pieces of legislation in a variety of areas.

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I listened carefully to my colleague's speech.

Of course, we generally support this trade facilitation agreement, but we very seldom have unanimity in the House. This could be one way to help support SMEs.

The three parties all agreed that another way to help small and medium-sized businesses was to cut their taxes, although they did not agree on how quickly to do it. Some members wanted to cut taxes quickly, while others wanted to implement the cuts more gradually.

Given that most of the agreement's articles and rules are already in place, does the federal government plan to do more?

Is the government trying to do more to really help small and medium-sized businesses to expand and export internationally, for example by putting money back in their pockets?

**Mr. David Lametti:** Mr. Speaker, I thank my hon. colleague for his question.

We plan on supporting the trade facilitation agreements that we have brought forward in the House and to work with SMEs in order to help them identify export opportunities for their goods and services. That is the role of the Department of International Trade in this file.

[*English*]

**Mr. Kyle Peterson (Newmarket—Aurora, Lib.):** Mr. Speaker, I happen to be on the trade committee, as the parliamentary secretary knows, and I wonder if he could elaborate somewhat about the process we went through during clause-by-clause consideration of the bill, and how we were able to engage some stakeholders who had some concerns about some of the technical wording in the initial draft of the legislation.

• (1605)

**Mr. David Lametti:** Mr. Speaker, I thank the hon. member for his work on the committee.

Through the opposition members of the committee, we received an intervention by a business group at a fairly late stage. There were a couple of interventions. We looked at them carefully and, basically, between the Tuesday and Thursday period, committee members, businesses representatives, and technical people from the ministry succeeded in drafting and redrafting some of the regulations to achieve a result that was sought by all members of the committee. I really commend them. They worked hard with open minds in a very short period of time. I congratulate them.

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, New Democrats are, of course, supportive of the work that was done at committee and will support the bill at this reading stage.

My question really goes to the transportation of goods. There were a lot of conversations at the committee about the transportation of goods to be opened up by this legislation but which are not approved in Canada. Of course, we had concerns for Canadian communities in the areas of public health, public safety, and the environment. I wonder if the hon. parliamentary secretary could share with us some of the assurances he received from Health Canada and Environment Canada on the fact that Canadian communities will be protected when these goods are being transported.

**Mr. David Lametti:** Mr. Speaker, I thank the hon. member for her work on the committee.

Indeed, I can only repeat the assurances we got from the various ministries involved to say that any products that come into Canada for re-export that are caught under this bill will not put Canadians in danger. They will not put any sector of our environment or any sector of our society in danger.

*Government Orders*

**Mr. Ken Hardie (Fleetwood—Port Kells, Lib.):** Mr. Speaker, over and above that dangerous goods that might pass through Canada, I am wondering about goods that we would perhaps not allow into Canada and would rather not see traded, such as ivory, shark fins, and those sorts of things. Has there been any thought given or provisions in this legislation to prevent those types of goods from passing through, even if they are on their way through to a third country?

**Mr. David Lametti:** Mr. Speaker, it is my understanding that those goods are prohibited, period, and they are not caught or saved in any way by this legislation.

**Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I also would like to add my thanks to the Parliamentary Secretary to the Minister of International Trade for his remarks and his very cogent explanation of the benefits of the full implementation of the TFA.

We have certainly come to understand that the implementation of this trade agreement will provide an opportunity to open up new markets for Canadian products, to grow businesses, and create jobs in this country.

Can the parliamentary secretary give us some idea of how these benefits can flow to Canadian businesses and companies so we can continue to grow our economy, create new opportunities for Canadians, and improve the quality of life of all of our people?

**Mr. David Lametti:** Mr. Speaker, I will not focus my answer on large enterprises, because they have the means to familiarize themselves with trade rules and to get all the help they need through customs, customs brokers, etc. What I think this bill would really help are the small and medium-sized enterprises who perhaps do not have the means. The bill would facilitate the movement of goods and services and allow them to conceive of the possibility of trade.

Hopefully, we as a government will be able to promote the possibilities that become available under this agreement and take away the fear of trading by removing some of the stickiness involved in moving goods and services across border.

**Ms. Marilyn Gladu (Sarnia—Lambton, CPC):** Mr. Speaker, this may be a bit of a detailed question, but I am curious. When we talk about bringing things through the country, Canada has quite specific labelling requirements for WHMIS, or transportation of dangerous goods. I am wondering, for the safety of the workers who might come into contact with these goods, if those standards would be applied, or other standards.

• (1610)

**Mr. David Lametti:** Mr. Speaker, I am afraid I do not have the answer at the tip of my tongue. We have worked with the various ministries, including the Minister of the Environment, who deal with hazardous goods. Again, they have given us assurances, but I would be happy to look into the question and get back to the hon. member.

[*Translation*]

**Mr. Garnett Genus (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, today I would like to talk about free trade in general and Bill C-13 in particular.

Our caucus is of one mind on this bill. We agree on the importance of free trade in general, and we believe that these agreements benefit Canada in many ways.

This bill ratifies the multilateral agreement on trade facilitation. The agreement on trade facilitation breaks down non-tariff trade barriers and informal barriers. This is of vital importance. If all countries ratify the agreement, it could generate an estimated \$1 trillion in new economic activity.

[*English*]

It is a pleasure for me to rise today to speak to Bill C-13. I always have to double-check when I find myself agreeing with what members of the government are doing just to ensure I have not missed anything. However, it is a pleasure for me to speak in favour of the bill. I do not know if the government will like everything I have to say in my speech today, because I will be somewhat critical of some of the things the government is doing with respect to trade. However, when it continues with good work that was started under the previous government, it is always worth recognizing that it is not all bad.

Broadly speaking, I want to do two things in my speech today. First, I want to speak specifically to some of the technical issues around the trade facilitation agreement, Bill C-13, and trade more generally. I also want to comment on our strategic situation in terms of trade, such as where it seems the government is going and where we should be going when it comes to our approach to trade.

Let me first speak to the technical side. By way of background, Bill C-13 would implement the trade facilitation agreement. Negotiations on the trade facilitation agreement started back in 2001. The agreement was completed at the WTO ministerial conference in December 2013.

This is the first multilateral agreement since the creation of the World Trade Organization. We deal at times with bilateral trade agreements, which are trade agreements between Canada and one other country, or we deal with multilateral trade agreements that involve regional or perhaps like-minded blocs of nations. This, however, is a truly multilateral agreement that could include the full membership of the WTO if all of the nations involved choose to ratify the agreement. It is an important step forward.

*Government Orders*

This trade agreement deals with the issue of trade facilitation. We are all familiar with what a formal barrier would look like to trade, for preventing countries from trading, or a tariff barrier, which is a tax on imports that a country might impose. The trade facilitation agreement seeks to deal with non-tariff barriers, or more informal barriers to trade, its regulatory misalignments, perhaps differences in regulations or administrative rules that have the effect of being a trade barrier. Perhaps they are not intended to be trade barriers and certainly are not advertised as such, but they end up preventing international commerce. This is a major issue for many businesses. If a company is seeking to trade with another country and it has to go through a detailed process of learning completely different regulations on relabelling then it becomes much more difficult for that company to do business.

What the committee heard when it studied this issue was something we had heard before. These non-tariff barriers in particular impose an additional and a unique burden on small and medium-sized businesses. A large corporation would have the capacity, the relationships in place, to understand what different regulatory regimes are and the effects of them and would have an easier time navigating these things. I do not want to suggest there is no impact on larger businesses, which employ many Canadians and many people around the world as well, but small and medium-sized businesses often have a much harder time responding to these non-tariff barriers. We know the importance of small business. It is the primary engine of growth and job creation in our country. Therefore, with respect to the impact on small business in particular, it is important we be concerned with non-tariff as well as tariff barriers on trade.

● (1615)

We have some information in terms of estimates from the World Trade Organization about what the impacts of this trade facilitation would be. If all countries ratify, global merchandise exports would be up by \$1 trillion, and trade costs for World Trade Organization members would go down about 14%, and 17% for least developed countries. Therefore, we see significant benefits from the trade facilitation agreement. Of course if not every country ratifies, the agreements will be less, so we hope all countries ratify. However, the benefits will still be in place even if the two-thirds threshold that is required to bring this deal into force is met but not all countries involved signed.

I have a couple of other notes on trade facilitation. It provides business with predictability. One of the issues with non-tariff barriers to trade is that even if trade is possible, if trade can occur, non-tariff barriers, or arbitrary different regulatory structures can create uncertainty, which makes it much harder for importers or exporters to manage in the context of international trade. Therefore, it smooths out and aligns these regulations, and also establishes a consistency in place, a predictability for businesses to rely on to facilitate that trade to its full potential.

I also want to identify for members of the House that the requirement is that two-thirds of World Trade Organization members sign on in order for this deal to take effect. That requirement would be 110 members of the World Trade Organization. Currently, we are at 92. Some of our major trading partners, the U.S., China, the EU, Japan, have all ratified the agreement already. Therefore, we are very

close to that 110 mark. With Canada taking this important step forward, a step that began in 2001 with negotiations, in 2013 with the signing of the agreement, and now moving forward for ratification, it is a step that will pay substantial dividends for all businesses but especially for our small and medium-sized businesses.

The good news is that most of our laws already comply with the trade facilitation agreement. However, Bill C-13 completes those legislative changes that are required to facilitate the full implementation of it. In particular, it makes two amendments that accord with different provisions of the trade facilitation agreement. One of those provisions is article 10.8.1 of the trade facilitation agreement. The amendment in Bill C-13 would give Canada the authority that we need to deal with goods that are brought into Canada that are non-compliant. This gives us the ability to respond to problems that come up, and opens the door for us to implement this agreement.

The other one is from article 11.8 of the agreement, which gives Health Canada and Environment and Climate Change Canada the legislative authority to exempt certain goods from certain Canadian requirements if those goods are not destined to end up in Canada, but would transit through Canada. Therefore, if Canada is a transit point for certain goods and the requirements we have in Canada for those goods are not exactly met, perhaps from an environmental or health perspective, they can still transit through Canada, but only on the basis of regulations and exceptions made through those departments. At least there is a provision for those carve-outs to be made, but also there are protections in place to ensure that those goods do not end up in Canada.

This provides a good mechanism for complying with the requirements of the trade facilitation agreement for getting the benefits of it for our economy and for our job creators, especially for small business. Also, it does not negatively affect the health and safety of Canadians or the environment. Therefore, the legislation is good, it strikes a good balance, and it is one that I and my colleagues will support.

● (1620)

I want to talk as well about the importance of international trade. This is a positive step as a new international multilateral trade deal. Our support for it underlines our belief on this part of this side of the House that Canada is a trading nation, that we benefit from international trade, and further that there is solid economic science behind the idea of international trade. This is something that most economists agree has clear benefits.

It is not a commitment to trade, it is not a government agreement that governments will trade, but it opens up the freedom for individuals within different countries to freely exchange, to make mutually beneficial exchanges, with people in other countries. We know that the common effect of that is greater degrees of specialization and it allows partnerships to be forged between countries, which can lead to more efficient production, the realization of new markets, and the creation of new wealth.



*Government Orders*

Our country clearly has seen the benefit of international trade. Of course at the time when it was a Conservative government that pursued free trade with the United States, trade was opposed by both the Liberals and the NDP at that time. However, at least the Liberals have come to recognize the wisdom of that approach. Under the previous Conservative government we were very bullish in recognizing the benefits of international trade and moving forward with trade agreements.

We understood this basic economic science of trade, that giving people the freedom to make mutually beneficial exchanges was good for everyone. It would not make much sense to say that I cannot shop at certain restaurants because of what side of town I live on. Exactly the same principle applies for international trade.

There is that technical basis for international trade that we can prosper together as a global community and that we can draw on the wisdom of economics in terms of understanding those benefits.

On the other hand, there is a strategic dimension of trade. We do not just unilaterally open ourselves up to international trade, but we do proceed in a methodical way with negotiation with other countries to try and open up markets in a reciprocal way, but also to align ourselves as much as possible when it comes to human rights, protection of the environment, and labour. It is worth underlining why we do this. It is because we know trade allows us to prosper nationally and together with other countries, but trade also is an opportunity to build strategic partnerships with specific nations to deepen our friendship, to deepen the sharing of ideas and of commerce between those nations. As such, it is important that we approach trade in a way that reflects our values.

With regard to the trade facilitation agreement, it is very positive from a strategic perspective that we are able to move together as a relatively united global community on this, that this reflects a consensus of different countries. In our other trade dealings, it is important for us to move with this thought out strategic lens on the point of trade as well, and I say this with respect to the trans-Pacific partnership.

To its credit, however, the government has moved this particular issue fairly quickly through the committee. This was an issue that there was an ability to move forward in a thoughtful but time-sensitive way on it.

On the other hand, the trans-Pacific partnership has been sitting on the government's desk for a full year tomorrow, since the election. The government has not even taken a position on that issue. I and other members have spoken before about the economic benefits, we could perhaps say about the technical side in terms of the benefits of the trans-Pacific partnership, but it also has great strategic significance. This was a key part of President Obama's foreign policy in terms of aligning with other democratic nations throughout the Pacific region, nations which share our values, by and large, and establishing a trade agreement that would set the terms of trade in a way that was aligned with our values.

• (1625)

It is Canada, the U.S., Mexico, Japan, Australia, New Zealand, among other nations, coming together with an agreement that provides those robust protections that reflect our Canadian values. It

is a mechanism, yes, for pursuing economic prosperity, but also for achieving a strategic advantage that reflects our values.

It is no secret, of course, that the kinds of values that are reflected in the trans-Pacific partnership are different from the approach taken by a country like China, which is also seeking dominance in the Asia-Pacific region with a different approach when it comes to human rights, the environment, labour rights. I would passionately say that our approach is more in line with an understanding of universal human values and an appreciation of universal human dignity. It is not a particularly western or exclusive approach. It is not an approach in terms of the human values that we emphasize as particular to one community or one culture. It is a set of values that we have that are worth using the mechanism of trade deals to strategically advance in that region.

I will just say, perhaps pre-empting a question from my friends in the NDP caucus, that they have been right to raise human rights issues in Brunei, which is part of the trans-Pacific partnership. There are human rights issues in some of the countries involved; there is no doubt about it. I think the situation in Brunei very well deserves the attention of members of the House. However, being a relatively small player in the scheme of the overall agreement, the agreement still very much reflects the values that we have here in Canada, the values that nations within our community of partners and allies of like-minded nations share together.

Yes, for economic technical reasons, but also for strategic reasons, it is important that we prioritize the trans-Pacific partnership. It is important that we move forward with that in order to set the terms of trade in the Asia-Pacific region in a way that reflects our values. Of course, we know that the government has a different approach when it comes to this strategic approach to trade. In the last year, it has not stated any kind of position on the trans-Pacific partnership, but it has talked in a very bullish way about moving forward with free trade with China on a bilateral basis.

My view is that we can be stronger in terms of our strategic interests when we work with our allies. When we do not, instead, we put ourselves in a position where we could very well be at a real disadvantage in terms of negotiations with China. It gives China an opportunity to try to set the terms of trade when it comes to human rights, when it comes to the environment, when it comes to labour rights and other kinds of issues.

*Government Orders*

We can benefit economically from trade at every level; there is no doubt about it. However, from a strategic perspective, would we not be wise to first move forward with the trans-Pacific partnership and continue to pursue trade arrangements with Europe? Hopefully, we will soon see the full ratification of the Canada-EU free trade deal, successfully negotiated as well under the previous government but continued with by the current government, to its credit. We should start by nailing down those trade deals with like-minded nations and then proceed collaboratively with those like-minded nations when we approach countries like China that do not share our fundamental values. We need to approach trade in a strategic way.

I think the trade facilitation agreement reflects our values. It is a positive step that the world is able to come together on, but we need to prioritize the advancement of our values and be strategic. That is why I really hope that at some point at least we will hear an answer from the government on TPP, and hopefully in the not too distant future, recognizing as well the technical benefits of trade, the economic benefits that I have spoken about, specifically for the trade facilitation agreement, but also the strategic benefits.

I am pleased to be supporting the bill. Hopefully, we will see its passage very soon and be able to move forward on some of these other trade issues that I have raised as well.

• (1630)

**Mr. Kyle Peterson (Newmarket—Aurora, Lib.):** Mr. Speaker, I want to thank my friend opposite for his contribution today and for his support of Bill C-13, which is very much appreciated. I think we come from the same point of view where free trade and fair trade is actually great for Canada, great for Canadians, good for the economy, and good for the middle class. We certainly share that, and we appreciate the support from that side of the aisle.

I want to talk a bit about his comments on the TPP. Being part of the trade committee, and frankly, having lived TPP since I was fortunate enough to be elected here almost a year ago, it has been on the top of my priority list in my short tenure as a member of Parliament.

There are some things I want to make sure the House is aware of. We are consulting with Canadians. It is not sitting on anyone's desk. We have heard from thousands upon thousands of people, at committee, through submissions, and through live witnesses of course. The ministry has travelled across the country. The committee travelled across the country as well, so we are hearing from Canadians, and we are hearing a divergence of opinions, which should not come as any surprise to anyone who has travelled across the country.

There is a lot of support for it, absolutely. There are also some concerns and opposition to it. We are trying to balance it all in a reasonable and objective manner. I can assure the member opposite that in due course there will be a report before the House. I look forward to what I know will be a hearty and fulsome debate on that point of view.

I take to heart the member's comments about China and the trans-Pacific partnership countries, but does he think it has to be an either-or? If it is the right deal, should we be as expansive as possible with the countries that we enter into free trade deals with?

**Mr. Garnett Genuis:** Mr. Speaker, I am glad to hear the member is in favour of trade. I certainly hope he will make his voice heard by other members of his party who are a little more skeptical.

I recognize the work of the trade committee when it comes to consulting on the trans-Pacific partnership and hearing from people. Not surprisingly, as on probably almost any major policy question, there are going to be different points of view and it is worthwhile to have those conversations.

It is interesting to hear time modifiers that are non-specific. I am always somewhat suspicious when we hear things like “in due course”, because when a member says something will happen in due course, that is not actually a meaningful description of time. The government should take a position on the trans-Pacific partnership. A year should have been enough time, and if it is not enough time, it would be nice to hear from the member, or from the minister, or someone else, at what point we can expect a decision from the government. Yes, at some point, in due course, the trade committee will present a report, but in due course after that perhaps we will have to wait until we hear from the minister.

I agree with the member that when it comes to trade agreements it is not an either-or. Obviously, we are talking about the trade facilitation agreement today. I made some comments about the trans-Pacific partnership and we have the Canada-EU agreement going on, but there is a question about how we approach trade with China.

Trade with China increased under the previous government. While we were talking tough on human rights issues, trade increased. However, it is a question of how we approach China. Do we do it in a way that is in concert with our allies, that reflects values that we have established, terms of trade that have been established with the trans-Pacific partnership, or do we jump the gun and negotiate a separate deal with China, which may have implications on what our approach is to other trade deals? Of course the member knows that trade deals can have implications on each other depending on the kinds of terms signed.

I am not saying it is an either-or, but these things have to be approached in a calculated and strategic way.

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, I thank my colleague from Sherwood Park—Fort Saskatchewan for his passion on trade. It is something I share, as vice-chair of the trade committee and critic for our party.

*Government Orders*

I found some of his comments quite interesting. I am happy he will be voting in support of Bill C-13. We did incredible work at our committee, although very fast. I commend everyone on the committee for the work we did on this file. I agree with the member, and I am glad to hear him say we need to approach trade strategically. That involves listening to a lot of different voices that, unfortunately, were not heard under the previous government. There were many people who sat before the trade committee as witnesses in the TPP discussions that, unfortunately, were not part of the conversation under the Conservative government. I am happy to see those people are represented now at the table.

I am curious about the TPP specifically. I agree that the NDP applies a human rights lens to trade, but we certainly include the cost of drugs for Canadians in that human rights lens. We know that in the trans-Pacific partnership and in CETA there will be an increased cost to Canadians. We already are one of the highest-priced countries in the OECD. Canadians cannot afford the medication that they currently need in our system.

I am curious. Earlier, the member for Sherwood Park—Fort Saskatchewan and I were discussing this issue in the House and I questioned him as to whether he had had a town hall on the trans-Pacific partnership. Therefore, is his position here on the trans-Pacific partnership and the other trade agreements that he mentioned based on the views of his constituents? Has he actually consulted with them?

• (1635)

**Mr. Garnett Genuis:** Mr. Speaker, I am always pleased to share the approach that I take to consultation in my own constituency.

We have regular round tables on a range of different topics and we have discussed the TPP at them. Honestly, I cannot recall if we had a general trade round table or if it was a specifically TPP-only round table, but certainly we have had discussions at some of the various round tables we have had about the trans-Pacific partnership.

We invite people who write to our office about this or other issues to participate in these round tables, which we have on a regular basis. I know that constituents who have participated in them have really appreciated the opportunity to not only discuss issues with me but with each other, and to learn perhaps from the different points of view that have been represented around the table.

To answer the member's direct question, certainly, my sense is that my constituents are strongly supportive of international trade in general and of the trans-Pacific partnership in particular. I certainly appreciate the opportunity to consult in that way.

In terms of some of the comments that the member made with respect to what happened under the previous government with the trans-Pacific partnership, it is an important point, obviously, that trade agreements are not negotiated in public. However, there is a process by which stakeholders are given the opportunity to access information, to be involved in the discussion, provided that they are not disclosing that information publicly.

I think all members in the House can understand why we cannot issue a press release every time a negotiating position shifts or changes in the midst of these complicated negotiations. I mean, if that were the approach Canada took, it just would not be practical for

us to be involved in negotiating trade deals, period. However, there are stakeholders that are involved throughout the process.

In fact, when the trans-Pacific partnership deal was announced, there was a huge amount of stakeholder support, in many cases from stakeholders who had previously had significant questions about it. There were people, for instance, within the agriculture community who initially were concerned about what the implications of the trans-Pacific partnership would be, but then were very positive about it once it was actually released.

**Mr. Ken Hardie (Fleetwood—Port Kells, Lib.):** Mr. Speaker, I thank members for the comments on the trade agreement. I am not a member of the committee that has been studying it, so I am coming at this as an interested outsider.

What we may observe south of the 49th is that protectionist sentiment seems to be growing quite rapidly. In fact, we have witnessed the difficulties with things like the softwood lumber agreement, and diafiltered milk is another one that lurks in the corner.

Based on this and what committee members have heard and discussed, does the hon. member think that the workup we are doing right now on trade agreements, on facilitating trade, may in fact be spinning our wheels, given that the foundation upon which we were going forward seems to be shifting with the attitude presented by both of the leading contenders for the leadership of the United States?

**Mr. Garnett Genuis:** Mr. Speaker, that is certainly an interesting question from my friend across the way. However, I will point out with respect to the trade facilitation agreement that it has already been ratified by the United States. Therefore, we are in the clear as far as this particular issue goes.

I always like to point out when this discussion comes up, when people talk about the rising protectionist sentiment in the United States, that there is no evidence that I have seen in terms of public opinion polls that there actually is rising protectionist sentiment among the general population. There seems to actually still be, among the general population, a significant level of support and appreciation for the value of open trade.

Perhaps it is better to speculate on whether it is the nature of the primary system or some other reason that seems to lead to a pull in the positions of candidates in both parties towards a little more of a skeptical position on trade. However, I am optimistic that cooler heads will prevail in the final analysis. Of course, the United States has more of a divided government system, and one in which I think many politicians as well as the public understand the value of trade.

It behooves us here in Canada to make a strong argument in favour of the open economy. What I fear the government is doing on the trans-Pacific partnerships is just waiting to see what happens in the American election. The Liberals are not actually waiting to get feedback from Canadians. They are just waiting to see what happens in the United States so that they do not find themselves too far out on the point.

I think we have an obligation, given how important this deal is, given how important the open economy is, for our—

*Government Orders*

• (1640)

[*Translation*]

**The Assistant Deputy Speaker (Mr. Anthony Rota):** Order. It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Burnaby South, Status of Women; the hon. member for Trois-Rivières, the Mining Industry; the hon. member for Drummond, Official Languages.

[*English*]

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, I am pleased to speak at third reading of Bill C-13, a bill the NDP supported at second reading and at committee, because of its potential benefit to Canadian small businesses that export their goods around the world.

Bill C-13 would amend the Food and Drugs Act, the Hazardous Products Act, the Radiation Emitting Devices Act, the Canadian Environmental Protection Act, the Pest Control Products Act, and the Canada Consumer Product Safety Act. It is a largely technical bill that is required to bring Canada into compliance with the WTO trade facilitation agreement, or TFA.

The agreement's stated desire is to expedite the movement, release, and clearance of goods, including goods in transit, which is dealt with in the first section of the 24-article document. In this section there are two clauses—8.1 on rejected goods and 11.8 on goods in transit—which require action on Canada's part in order to ratify the agreement. Bill C-13 deals entirely with these two clauses.

The TFA's second section—articles 13 to 22—is entitled, “Special and Differential Treatment Provisions for Developing Country Members and Least-Developed Country Members.” The final two articles in the third section outline a committee structure and deal with final provisions.

The customs practices of developed countries like Canada are already mostly in line with the TFA. For developing countries, this is more of a challenge, which is why a lot of the agreement's provisions focuses on them.

One of the few groups in Canada to have expressed concern about the TFA is the Council of Canadians. According to officials from Global Affairs Canada, it is concerned that the agreement would only benefit large agribusiness firms and not small-scale farmers.

The Council of Canadians chair, Maude Barlow, criticized the agreement back in 2013. She said:

This was not a historic win for developing countries at the WTO. They scrape by with modest and temporary protections for food security policies that should be completely excluded from corporate trade rules....

I understand her concerns and read with concern how India had to defend its food security programs amidst the TFA negotiations.

The WTO is certainly a flawed organization. I am well aware of the many criticisms that are levelled against it.

The Standing Committee on International Trade held a very quick study of Bill C-13. I was disappointed that we did not spend any time discussing the TFA in its broader context or dig into the supposed benefits of the agreement for Canadian traders.

We heard from Global Affairs officials, who answered specific questions about Bill C-13 and the various acts it would amend.

Two groups requested to appear: CropLife Canada, and the Canadian Consumer Speciality Products Association. It was important to hear from them because Bill C-13 has significant implications for them and, specifically, for the pest control industry.

Their first concern related to clause 31 of the bill, which they felt was unnecessary.

Their second concern was about the changes to be made to the definition of a label under the Pest Control Products Act. After some back-and-forth between the groups, the department, and committee members, we agreed to an amended definition that all parties seemed satisfied with.

As I mentioned, it would have been great to delve into the potential benefits of the TFA for Canada.

According to the government, the TFA could benefit Canadian small- and medium-sized businesses by strengthening the predictability of customs and border procedures for exports to developing countries. It could increase the ability of some Canadian SMEs to access emerging markets. However, there are a lot of reasons why more small businesses do not export.

The NDP believes strongly in the importance of supporting Canadian small businesses so they can thrive, grow, and hire. Coincidentally, this is Small Business Week in Canada. It is an opportunity to recognize the valuable contributions made by small businesses to communities across Canada.

My riding of Essex is home to hundreds of small businesses. They include auto parts manufacturers, tool and die makers, construction companies, wineries, retail stores, grocery stores, restaurants, and more. These are the small and independent businesses that help sustain our local economies and create local employment.

However, small businesses face big challenges. I am committed to working with the Windsor-Essex Regional Chamber of Commerce and all groups in Essex to help our small businesses tackle these challenges head-on.

No doubt, many of the small businesses in my riding are some of the 12% of Canadian SMEs that export.

When we talk about SMEs and trade, the federal government should seize the opportunity to assist more SMEs to do business outside our borders. Only a fraction of small businesses will export their goods, and most of this trade is with the United States.

*Government Orders*

•(1645)

I frequently hear from businesses in Essex about problems they experience with getting goods across the border. There are still a lot of challenges when it comes to streamlining practices and providing greater predictability. Their concerns were front of mind as I studied this legislation and the TPP and other trade agreements. I am convinced that we need to do more to support Canadian traders.

As I speak about the TFA and small businesses, I am also speaking about the kind of trade that the NDP does support. As the NDP trade critic, it is my responsibility to look at trade deals with a critical lens and to consider whether they are in the best interests of Canadians, not just our businesses but for current and future generations of Canadians.

The trade minister's favourite talking point these days is about the need for a progressive trade agenda. She has spoken about changing the way trade deals are negotiated so they serve a broader good instead of just corporate greed. What does that mean?

We have seen some of the broad strokes of what progressive trade means to the minister. She has stated that “we also have to now start building into trade agreements real effective labour protections, environmental standards and ensure that that is as much a part of the trade agreement as protections for investors.” What the minister said makes me hopeful for a new way of negotiating trade.

As my friend Lana Payne recently wrote in an op-ed published in *The Telegram*, “The language is good, but the devil will be in the details....Saying something is progressive doesn't make it so, but the minister has certainly put herself and her government out there”.

I have been critical of the Liberal government for having a trade agenda that seems pretty identical to that of the Conservatives. For example, many progressive groups in Canada have called for changes to CETA, but the minister has dismissed their concerns and is only focused on twisting the EU's arm into signing the deal.

Canadians are deeply concerned about ISDS and do not feel that revised systems under CETA address their more core concerns with this mechanism.

Canadians are also concerned that the government's recent joint declaration that is supposed to strengthen environmental and labour standards is nothing more than empty promises without any legal backing.

The very same things the minister claims are elements of a progressive trade policy are lacking from her so-called gold standard CETA deal.

Similarly, the TPP is not an average trade agreement. Traditionally, a trade agreement is negotiated between country A and country B, who come to an agreement about reducing trade barriers, such as lowering tariffs.

The NDP has supported some of these agreements in the past because, after careful evaluation, on balance the deals were in Canada's best interests.

We are supporting Bill C-13 today because it would facilitate the trade of goods, which can benefit Canadian small businesses that export abroad.

Trade is a rapidly changing concept in the 21st century. It is not just about the flow of goods anymore. It is about the flow of people and services. It is not just country A and country B sitting down to negotiate anymore. Instead, negotiations are largely driven by corporate interests and big business who are advocating for a set of rules that benefit their interests.

Why big business is included is no mystery. Pharmaceutical companies stand to gain from the extra two years of patented drug costs. This keeps them out of the generic market and ultimately costs Canadians more money. In my riding, like everyone in Canada, people are suffering from the costs of medication and often have to make difficult decisions about their health based on their ability to pay for medication. Even people with a benefit plan are not covered for all medications and are often capped on the amount they can claim. One such story stuck with me from campaigning last year.

In Amherstburg I met a lovely couple and their daughter on a beautiful summer day. They live in a working class neighbourhood with well-kept homes, and theirs was no exception. We started to talk and they told me of their recent struggles with his rare form of mouth cancer, how he had just retired from a good workplace with benefits. They were prepared to enjoy their retirement to the fullest when this diagnosis hit them. He had a good benefit package that included drug costs, but only to a lifetime maximum of \$75,000. That sounds like a great deal of money but when one is faced with the diagnosis and treatment plan that he was faced with, the money was already gone. Thankfully, he was responding well to treatment, but it had changed their lives and they were justifiably worried about their ability to afford medication now with no money left in their coverage.

Many of today's so-called trade agreements are about so much more than trade. For example, only six of the TPP's 30 chapters deal with trade in the traditional sense of the term. The other 24 chapters are where we find the controversial aspects of the deal, like a new court system where investors can take democratically elected governments to court if they feel unfairly treated.

*Government Orders*

● (1650)

Trade agreements have to carve out governments' specific rights to legislate on issues as basic as cigarettes. It is absolutely shocking to me that legislatures have to fight to protect countries' rights to regulate things like cigarettes. In the TPP, a specific carve-out had to be made. At committee, the Canadian Cancer Society warned us that the tobacco industry has a history of abuse, seeking to turn to international trade and investment agreements to overturn bona fide public health, tobacco-control measures that apply equally to domestic and foreign companies.

We are also seeing trade agreements that dictate pharmaceutical rules that largely benefit pharmaceutical companies over the citizens governments are elected to serve. The increased patents on pharmaceuticals in the last two trade deals negotiated by the Harper governments are a deeply concerning and very contentious part of those agreements. Another woman I spoke with had to move in with her son in order to afford her medication. She was so thankful that her son was able to have her there so she could afford her own treatment and not worry about the cost of living alone. She told me that she worked hard but she was not making enough to even be able to take her own medication. These stories are not unique. They repeat, door after door in all of our communities.

We had the Canadian Nurses Association present to us at committee, and Carolyn Pullen told us in no uncertain terms that Canadians are already making difficult choices by skipping doses of medication and skipping days of treatment because they cannot afford their medication, even the generic brands. This does not speak well for us as a country. How are our most vulnerable being treated in our society? This systemic problem will continue to manifest itself in poor health outcomes for us all and in an increase in poverty for those who face the high cost of medication. Canada has the second-highest drug costs in the OECD. We are the only country in the world that has a public health care system that does not include a pharmacare program.

If members are wondering why I have been talking about the cost of medication in Canada, it is because under the provisions in CETA and the TPP, the patents for brand-name pharmaceuticals in Canada would be extended. It should come as no surprise that these extensions would lead to increased costs for all of us. On the one hand, we have people who cannot afford medication and who, along with the NDP, are calling on the government for a pharmacare program in our country. On the other hand, we have a government that is signing trade agreements that would make this current situation worse.

Some might say that increasing the length of patents makes sense because it would encourage the pharmaceutical companies to undertake more research and development in Canada. This is a widely held view. However, history shows us that the opposite has happened. In the late 1980s, pharmaceutical companies came to the federal government requesting a patent extension for these exact reasons. They committed to investing in Canadian R and D to a level of 10% of sales. For many years, there was a steady rise in the percentage being spent, and we eventually peaked at 11%. Then we hit a cliff. Our R and D nosedived to its current level of 4% and has held steady at this level for many years. That promise has not been kept and we have all paid the price for it. Yet here we are with CETA

and the TPP giving the pharmaceutical companies another extension, with the only argument for it being that it will result in an increase in R and D. Let us be honest about what this means.

The point I make is that trade agreements like CETA or TPP would not be so controversial if they focused only on trade. Instead, they are omnibus agreements that, frankly, do not receive the study and oversight they deserve. On the other hand, before us today is a pretty straightforward initiative that addresses how countries like Canada can deal with goods at our borders. Although this is a highly technical piece, this is the kind of trade remedy that we in the NDP can support, and we will vote in support of Bill C-13.

● (1655)

**Mr. Kyle Peterson (Newmarket—Aurora, Lib.):** Mr. Speaker, I want to thank my colleague from the international trade committee for her contribution to today's debate on Bill C-13. I appreciate her expressing some of her concerns and, frankly, some of the concerns we have been hearing at committee. It is appreciated.

I want to talk a bit about Bill C-13 in the context of today's debate. Given that she is from Windsor, I wonder if she could elaborate how facilitating trade through Bill C-13 would help her constituents, given the importance of the border crossing to her community.

**Ms. Tracey Ramsey:** Mr. Speaker, I thank the member for Newmarket—Aurora for his work on the committee and certainly his commitment to trade in our country, fair trade in our country, which we see being represented in Bill C-13.

In response to the member's question, I would like to say that trade is incredibly important in southwestern Ontario. We have the largest border crossing that exists between our country and our largest trading partner, the United States.

One of the concerns that was raised at committee was around the ability of Canada Border Services Agency to handle this increase in trade that Bill C-13 would see. Personnel would have added responsibilities when they are holding goods. They would also have added responsibility with goods that are in transit through our country, understanding that is their sole purpose versus actually stopping here in Canada.

Of course, I support the men and women who protect our borders in Canada and also facilitate trade across them every single day. I also advocate for an increase in the number of people who are working at our borders, so that we can properly facilitate the trade we would be signing on to in Bill C-13. I think the member opposite would agree that we would want to give all the support we can to ensure that the men and women who are at our borders have enough people to service not just the border in southwestern Ontario but all of our international borders.

*Government Orders*

[Translation]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I thank my colleague for her excellent speech.

I have been hearing a lot of things recently about international trade. Clearly, everyone in the House, across party lines, recognizes the importance of international trade to the Canadian economy, and the NDP is no exception. However, the NDP probably has the most responsible position on this issue among all the parties in the House.

It is important to understand that a treaty, whether we are talking about CETA or the TPP, is a contract whereby the various parties agree on a series of rules. However, to be responsible, one has to read the contract and evaluate all the repercussions it could have on both parties.

When the Liberals were the third party, they supported the free trade agreement with the European Union without even reading it. Indeed, the day after the initial signing of the agreement with the European Union, the current Prime Minister, who was the member for Papineau at the time, congratulated Mr. Harper and asked him when we could read it. There was tacit approval before anyone could even read the treaty.

We, in contrast, assess the various agreements based on what is actually in them and how they will affect the Canadian economy.

Can my colleague talk about the difference between our approach and that of the other parties of the House?

[English]

**Ms. Tracey Ramsey:** Mr. Speaker, I thank my hon. colleague for his very responsible, very good question to all the members of this House.

We have a responsibility as parliamentarians not just to read the reports that come before us but to actually investigate how the trade agreements will affect us. These trade agreements have grown in size, exponentially. CETA is around 1,500 pages. The TPP is around 6,000 pages. I understand that is difficult for parliamentarians to digest, on top of our already busy schedules, but it is critically important that we do so and that we listen to stakeholders, not just in our communities but across Canada.

One of the things that has been highlighted at the trade committee level, specifically around the trans-Pacific partnership, is that many presenters to our committee only look at one or two chapters within this agreement. This trade agreement has far more to do with things other than just traditional trade.

We in the NDP definitely support the easing of tariff and non-tariff barriers, and we support trade flowing through our borders for those sectors that are anxious to get into markets that could benefit Canadians, bring more work here, more value-added work. We would like to see that out of our resource sector as well, that we have more of the actual value-added chain here in Canada versus just exporting our raw materials to other countries for them to enjoy the benefits of those jobs in those communities.

Returning to the member's point, it is critical that we look at this deal on balance, that we do not just laser focus into the few chapters

that deal with that traditional trade. That is what we were able to do with Bill C-13, largely because of the size of its scope. It was quite small in comparison to the other agreements that we are facing, so we were able to commit ourselves fully to looking at the two provisions that would change in this very important piece of trade facilitation to which we are signing on.

I do think it is critical that, when we are looking at trade on the whole, we have a responsibility as party members and as members of Parliament to look at the entire deal, to look at the things that would benefit Canadians, and to look at the things that could potentially harm Canadians.

Although there are sectors that would benefit—and I would like to see that trade flow happen for them; I would like to see that increase—at the same time, when we are looking at trade agreements like those I mentioned, CETA and TPP, we do not want to see an increased cost of drugs for Canadians.

The labour mobility chapter is a prime example. One of the members mentioned earlier about consultations and who was brought in. Labour never entered into the conversation, because this is the first time we have seen this provision in a trade deal. How would they have known to go to the government and say, “You are negotiating a trade deal; I think we should be in on the conversation.” They had absolutely no knowledge that they would be included in the trade deal.

That speaks to the secrecy of the way these trade deals have been negotiated. These groups, even though they have seen things on government pages saying it is looking into a trade deal, have never been included in a trade deal before, so it has never occurred to them to actually go and consult with the government.

Now that we are looking at negative trade deals, where everything is on the table, unfortunately everyone in Canada has to go to the government with their concerns, because they could potentially be part of a trade agreement when they never had been before. We all have a responsibility to look at the trans-Pacific partnership on balance, look at every chapter, and speak to every stakeholder we can.

● (1700)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I am particularly concerned about those provisions that remain somewhat hidden. We do not talk about them enough in Canada.

Almost by rote, people who defend investor state agreements say that it is just a standard FIPA. I would ask my hon. colleague if she would agree with me that there is nothing standard about something so corrosive to democracy as allowing foreign corporations to bring charges and, in private arbitration suits, seek damages against the Government of Canada for bills passed municipally or provincially.

*Government Orders*

We have a bad history. Canada has been a victim of more of the chapter 11 cases than most nations have, of investor state agreements. I would just ask the member to reflect on that aspect of the TPP and CETA.

**Ms. Tracey Ramsey:** Mr. Speaker, I agree wholeheartedly that the ISDS provision, which mirrors the investor state provisions under which we have been the most sued country in the world in chapter 11 of NAFTA, is deeply concerning to Canadians.

When I travelled across this country with the international trade committee, we opened up a portion of one hour. Many Canadians came for that one-hour, open-microphone period, so to speak. More than 100 Canadians came, and many of them repeated the concerns about the investor state provisions, which would ultimately impact the work we do in the House and potentially tie our hands. It could affect our environmental regulations and legislation in Canada. It could affect public health and public safety. The environment has been under attack in investor state dispute settlement resolutions in chapter 11 of NAFTA in Canada, so it is no surprise that environmentalists are saying that this provision does not work for us in Canada.

Some \$190 million has been paid out. I have heard the term that it is negligible, that it is the cost of doing business. First, it is taxpayer money, and we have a responsibility for every penny that we spend of taxpayers' money; but second, it is not just about the money. It is about the regulatory chill that we could all experience when we try to put forward legislation to improve the lives of all of the people whom we have been sent here to represent. This is a deeply concerning provision and one that we see people around the world standing up for. India is now saying it will not sign a trade agreement with this provision in it. Canada needs to show leadership and say that this provision does not work for Canadians.

• (1705)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I hope to get into many of the discussions by the members who have already spoken to the broader trade issue.

Although Canada is already compliant with the vast majority of the World Trade Organization trade facilitation agreement provisions, legislative amendments are required to enable Canada to comply with two specific provisions to ratify the agreement.

The required legislative amendments are contained in Bill C-13, an act to amend the Food and Drugs Act, the Hazardous Products Act, the Radiation Emitting Devices Act, the Canadian Environmental Protection Act, 1999, the Pest Control Products Act and the Canada Consumer Product Safety Act and to make related amendments to another act.

All legislative amendments proposed in Bill C-13 are related to Articles 10.8.1 and 11.8 of the TFA, which address non-compliant goods and goods in transit, respectively.

From my perspective and the government's perspective, this is a very important piece of legislation. If we feel that world trade is important, this is the type of legislation members should be voting in favour of.

In listening to members from all sides of the House, it appears that there is unanimous support for Bill C-13, which is positive. I say that because at the G20 conference in Istanbul, Turkey, in November 2015, the Prime Minister said that this government would ratify the WTO agreement, which is why we are doing this now. We made a commitment to ratify it, and it is the government's intention to do it as quickly as possible.

Why is this an important agreement? We have all heard of the World Trade Organization. It was formed in 1994. The WTO is made up of 162 countries, and we are one of them. The trade facilitation agreement is the first substantive agreement that has come out of the World Trade Organization. That is a significant accomplishment. It took many years of negotiations, starting in 2001-02 and leading up to when it was signed in December 2013.

Let us look at how it would be ratified. There are 162 countries, and two-thirds of those countries need to ratify it for it to become law. As of today, I believe there are 92. I know that back in June, it was closer to 80, so there is momentum. If we look at our major trading partners, whether it is China, the EU, or the U.S., they have already ratified the agreement. Our Prime Minister has made a commitment to ratify the agreement. The momentum is there. I believe that the will of the House is to see Bill C-13 pass, which is encouraging.

It was not that long ago that it was adopted at second reading and went to committee. I was encouraged today to hear about the goodwill at committee stage, where committee members from all sides worked together to make some changes to the legislation. That is what we are debating now. I believe that it is better legislation, because the Prime Minister was true to his word when he said that we want to see committees be more productive and look at ways to improve legislation, and we have now seen a committee do just that. In a more apolitical fashion, it brought forward possible changes and included stakeholders and members of the opposition, working alongside the government.

• (1710)

Throughout this debate we have heard about how important the World Trade Organization trade facilitation agreement is to our country. According to WTO estimates, with full implementation, and by full implementation we are talking about all 162 countries ratifying and implementing it, the global economy will be boosted in terms of merchandise exports by over \$1 trillion, including up to \$730 billion in export opportunities accruing to developing countries. That is significant, and that is why I mentioned that if we believe in the importance of trade, this is something all members should get behind.

It would also decrease trade costs for World Trade Organization members, including Canada, by an estimated average of 14%, and for the countries that are least developed, by 17%. It would help small businesses in Canada increase their export presence in emerging markets.



*Government Orders*

We hear a lot about the importance of small business. I hear from the government House leader on an ongoing basis that small businesses are the backbone of our Canadian economy. I was thinking of doing a special Standing Order 31 on an important celebration. Maybe I could make reference to it now.

This year marks 50 years of four-wheel-drive tractors in Winnipeg, Manitoba. Versatile was the first company to mass produce articulated four-wheel-drive tractors and is the only Canadian manufacturer of agricultural tractors. It was founded in 1966 by Peter Pakosh and Roy Robinson. It covers almost 700,000 square feet, with complete manufacturing and assembly capabilities and full research and development facilities.

Why would I bring that up now? The incredible tractors coming off this line, I would argue, are the best in the world because of the amazing individuals who put them together. We have markets around the world for these tractors. When a tractor is sold to another country, it creates opportunities for Canadians.

I often talk about Manitoba's pork industry. I had the good fortune to follow it through from being a consumer eating pork to actual production. I eat a little bit of pork, I must say.

I visited some of these farms. Hog farms today are quite different from when I was a teenager visiting family farms, where there would be a few pigs in a stall. Today they have large productions. The first room I walked into was a shower room, where people have to disinfect. The second room was a computer room, followed by large barn rooms with thousands of hogs. At a certain point, those hogs go to, in my case, Maple Leaf Foods in Brandon. I know that my colleague from Brandon—Souris is here, and he will attest to it. Go to Maple Leaf farms and see thousands—

• (1715)

**The Assistant Deputy Speaker (Mr. Anthony Rota):** I would remind the hon. member that it is not parliamentary to refer to whether other members are present in the House. It is a little odd, but I will let you continue.

**Mr. Kevin Lamoureux:** It is one of those newbie mistakes, Mr. Speaker.

My colleague from Brandon will attest to just how important those jobs are in Brandon. I believe that there are over 1,300 direct jobs. We have more pigs in Manitoba than we actually have people, so it is not Manitobans who are consuming all those hogs. Rather, what we have is a viable and strong industry. Why? It is because of trade. It is exports. Much like we manufacture the best tractors in the world, we have the best pork products in the world coming out of Manitoba. I might be a little biased, but the point is that it creates good, tangible jobs.

If we were to go out to the parking lot of Maple Leaf Foods, what would we see? There are a lot of cars, and those cars are purchased in Brandon and the surrounding area. The indirect jobs are real. This is not unique to Brandon or to Winnipeg or to our province. This is really all about Canada.

When we think of the World Trade Organization and what it embodies as an organization, in terms of both symbolism and tangible doors to exports, it means that Canada has the ability to

export. Through exports, we create, literally, tens of thousands of direct jobs, not to mention the many thousands of indirect jobs.

This is why this is such an important issue for us. Voting for Bill C-13 is important for all of us. What we are really doing is acknowledging the many benefits of world trade. That is something our Prime Minister and our government have advocated strongly for. All we have to do is look at what has taken place in the last nine months under our Minister of International Trade and the parliamentary secretary and at the work they have done. We can talk about securing markets for our beef and pork. We can talk about the canola issue in my home province and the relationship with China. We are talking about \$1 billion plus. These issues were resolved in a relatively short time and literally meant millions of dollars, if not tens of millions of dollars, for my province, let alone our country.

We can look at the formal trade agreements. When I listen to my New Democratic friends, at times there is a bit of a confusing message. I know, for example, that there was a lot of discussion at second reading, and even today, about CETA and the TPP. These are two very important labour trade issues. I look forward to ongoing debate in regard to them. The TPP is still under consultation. We are working very aggressively in regard to CETA.

**Mr. Lloyd Longfield (Guelph, Lib.):** Mr. Speaker, it is my pleasure to rise in the House today to talk about this very important topic. It is said that governments do not trade; it is businesses within countries that trade. The previous government had about 55 trade deals signed and thought that the job was done, but our trade deficit continued to grow because businesses were not engaged.

This deal was signed in December 2013. Some amendments were made in 2014. By March 9, 2015, 54 member nations had signed on to this deal. In August 2016 there were 92 members. Now we are in a position where Canada is joined by the ranks of Argentina, South Africa, and Indonesia as the only countries in the G20 that have not signed on.

I have a question for the member from Winnipeg. The TFA would increase trade by modernizing and simplifying our customs and brokerage procedures and lowering trade costs. We have now done our work at the committee. We are following good parliamentary process and consultation. This was missing under the previous government. Could the member perhaps comment on whether this is our standard going forward with future trade deals?

*Government Orders*

● (1720)

**Mr. Kevin Lamoureux:** Mr. Speaker, we have set a very high standard going forward. We see that with the trade agreement with Ukraine. I made reference to the beef, pork, and canola issue. We hear what is being said about CETA. We understand and appreciate the importance of trade for all Canadians, Canada's middle class, and those striving to become a part of it. If we get the trade file right, we would create literally tens of thousands of jobs.

**Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP):** Mr. Speaker, I have seen in the House in the past that people like to frame my caucus as being against trade. This is a great example of the kind of collaboration that we would like to use to achieve healthy agreements that facilitate trade. This is in contrast, of course, to the TPP, which is actually not a trade deal but an investor rights deal that undermines democracy and some of those frameworks.

With regard to the advantages of this deal, Bill C-13 would be advantageous to small and medium-sized businesses, as long as we can fortify our Canada Border Services Agency. I would like the member, if he could, to expand a little on the advantages for small and medium-sized businesses that have been disappointed by the government in the past. It would be important to reinforce those advantages today.

**Mr. Kevin Lamoureux:** Mr. Speaker, I will let the NDP defend its own position and how the public might perceive its position on trade.

It is important to recognize that even before the deal was out, the NDP was in opposition to the TPP. The Prime Minister has been very clear. He stated that while we can't make up for Canadians having been left out of the conversation by the previous government with respect to the TPP, we can do our utmost to give them every opportunity to have their voices heard now. That is exactly what this government is doing with regard to the TPP.

With regard to border controls and ways we can enhance and ensure that there is an easier flow of trade and commerce here in Canada, with a particular focus on our exports, this is something this government is aggressively pursuing.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Mr. Speaker, it is fascinating. I have to come back to this issue of the trans-Pacific partnership. The government has had quite a bit of time, but it has not even laid out a clear timeline in terms of where we are going on this decision. As I spoke about in my speech, this deal is economically significant for Canada, but it is also strategically important for Canada, because it is a way of ensuring that our values are reflected in our trading relationships with the Asia-Pacific region.

Will the member not agree that it is important that trade be in Canada's economic interest and reflect our values? Would he also agree that if the government still has not, after a year and after a lot of talking, finally made up its mind, it should at least say when it will make up its mind? It looks a lot like it is trying to punt this until after the American election. It looks like it is not actually listening to what Canadians are thinking but just wants to see where the winds blow internationally.

Will the government set a timeline, make a decision, and start leading on this important file?

● (1725)

**Mr. Kevin Lamoureux:** Mr. Speaker, the Government of Canada, under this Prime Minister, does not take a back seat on the issue of trade with regard to the former Stephen Harper government. The former Stephen Harper government did not actually get the puck in the net, which is what I believe the Minister of International Trade is saying. It took the Liberal administration to secure the Ukraine trade agreement. The CETA agreement is still not done. There are still negotiations taking place because of the former government's inability to get it done.

As for the TPP, we have made a commitment. The Prime Minister made a commitment that we would look at this. Even the United States and other countries have not ratified the TPP, so it is important for us to recognize that this particular government, and this is where I agree with the member, will do what is in the best interests of Canadians, first and foremost, and that includes doing exactly what the Prime Minister said, which is that we will consult with Canadians thoroughly with regard to the TPP and at some point in time it will be brought to the House of Commons.

**Mr. Garnett Genuis:** Mr. Speaker, it is tragic to hear my friend mis-characterize the history of trade negotiations in this country so badly to say that the Conservatives did not get the puck in the net when we were in government.

Under the previous Conservative government, yes, the Stephen Harper government, we signed trade deals with countries representing over 60% of the world's GDP. The only trade deal comparable in size and scope to the deals that were signed under the previous Conservative government was the free trade deal with the United States, which actually was signed by another previous Conservative government. Clearly, it was the Conservative Party that was the only party that actually, in government, was able to achieve substantial results.

In terms of the trade record that the member keeps repeating, it is great that we have completed the process with respect to a free trade deal with Ukraine, but it obviously was a process that was well under way under the previous government. Will the member not recognize the positive record, the reality in terms of that, and stop misstating?

*Government Orders*

**Mr. Kevin Lamoureux:** Madam Speaker, in fairness to the member, I will give the Harper government credit for the Honduras and Panama agreements. However, it is wrong for the Conservatives to believe that they actually completed something in regard to CETA, because it is not a done deal. This is something that our current minister is aggressively pursuing and is constantly being requested by countries abroad to cross the Atlantic to try to remedy the many different issues that are still outstanding. Therefore, to try to give Canadians the impression that this is a Conservative agreement is wrong. The member also made reference to 60% of trade around the world being done through the Harper government, which is just not true.

However, not to fear, we understand that in order to get the job done we have to put all the players on the ice in order to score a goal. Under this government, we have a number of players who are quite keen to be on the ice to make sure that the puck gets into the net. We all hope, because it is in Canada's best interests, that we are able to accomplish something that the former Harper government was not able to.

**Mr. Garnett Genuis:** Madam Speaker, the member talks about wanting to be on the ice, but the Liberals have not even decided which net they are trying score in here. One has to know which direction one is going if one wants to achieve results when it comes to trade.

I would ask my friend one more time. If he cannot tell us what the government is going to do with respect to the trans-Pacific partnership, can he at least tell us when it will make up its mind? When will this process of never-ending consultation actually be complete?

**Mr. Kevin Lamoureux:** Madam Speaker, the bottom line is that we can talk about the TPP, CETA, and all the other trade agreements, but when the Harper government took office, the Conservatives had a multi-billion dollar surplus in trade. They converted it into a multi-billion dollar deficit. The bottom line is that the Conservatives are not that great at trading.

**Mr. Randy Hoback (Prince Albert, CPC):** Madam Speaker, it is great to come up and speak to Bill C-13. Before I go on, I want to recognize that I am sharing my time with the member for Chatham-Kent—Leamington. He is such a great member, and another good member of the committee. I will talk a bit more about him later.

Being a member of the trade committee, I do want to compliment the committee on how well the members worked together in getting this agreement done. I want to compliment the committee because this is something that we actually worked on together and got it through.

I also want to highlight the fact that there has been lots of discussion of Bill C-13. I do not think I need to repeat all that. I think we all know what Bill C-13 is, but I do want to highlight one thing. This agreement would just enforce things that we are already doing at our borders and customs. It would bring the world level up to the Canadian level. It is very important to highlight the fact that other countries in the world looked at the Canadian system that was, under the Conservative government, pretty good, and said that they agreed and they were going to bring their systems up to the Canadian

system as it was under the Conservative government. Let us hope the Liberals do not drop the ball on that one.

Sixty per cent of our GDP is reliant on trade. Canada is a trading nation. In order for Canadians to succeed and thrive and have strong families and the quality of life they deserve, we have to sell things abroad. However, people love what we have to offer. The parliamentary secretary talked about tractors out of Winnipeg. Ukrainians love those tractors. Americans love those tractors. There are so many Versatile tractors in Australia it is unreal, and so many Versatile tractors in Ukraine. I know first-hand because I worked in that sector.

However, the member could have also talked about MacDon Industries out of Winnipeg. Again, the machinery it makes is sold all over the world, and it is so good at it that big companies like John Deere, New Holland, Case, and AGCO would rather just buy from these guys. They know they do it so well, so why compete? Just let them do it. That is a great company out of Winnipeg.

Then manufacturers out of Saskatchewan are Bourgault Industries, Morris Industries, Seed Hawk, Conserva Pak, and Flexi-Coil, the company I used to work with, which is part of New Holland now. These guys sell machinery around the world.

The interesting thing about this machinery, and it kind of ties into the carbon sequestering comments, is that they have been sequestering carbon with no-till probably for 12 to 15 years now. They have been sinking that carbon in the soil by going no-till. They have reduced erosion. They have reduced their chemical and water usage. It used to be that a crop in the Prairies needed about 12 to 15 inches of rain to go from planting to harvest. If there was not that amount of rain, the farmers would not get a crop. I was talking to a farmer this past summer and he said that if he had four inches, he would get a crop. He said he had such great organic material in his soil it was second to none, so his fertilizer use is going down and his chemical use is going down, and his yields are going up. That is all based on innovation in Saskatchewan and in western Canada, which now the rest of the world is embracing and wants to buy. We have to make sure those people get access to it.

Bill C-13 will go through the House I assume unopposed, and it should. All the heavy lifting was done in the committee, and the committee did a great job. That is where I want to talk about the member for Chatham-Kent—Leamington. He was sitting there and he was so co-operative, providing positive input, and moving the bill forward. This is the type of co-operation that Canadians want to see on something as simple as this, because it is so good for all of Canada to have it go through. There is no reason to play politics with it and it never happened. There were no politics played with this one. It actually moved forward and came back to the House. I assume it will go through very quickly here also.

However, I do have to talk about CETA and about TPP. It would be a shame to let the parliamentary secretary get away with some of the comments he made there.

On CETA, we gave the Liberals the playbook. When the Liberals took government, CETA was done. They had to make a few little adjustments and then they had to get it across the finish line. To say that they are out renegotiating the CETA deal is just not right.

*Government Orders*

TPP is one thing that I think we need to really embrace. When we have CETA and we have TPP and Canada is in the middle, look at the customers we have and look at the spending power that the customers have to buy our products.

When I was the marketing manager for seeding equipment in eastern and western Europe and into the Ukraine, one of the problems we always had was getting cash for our product. These markets in western Europe are rich markets. These markets in Asia are wealthy markets. They have the money to buy the goods that we build and create, and to buy our technology. They want it. We have to give them access to it. We need to have trade agreements like CETA and TPP to do that.

What is really confusing for our manufacturers, farmers, and other service sectors here in Canada is when they see something like TPP they say, “It is great. It is going to open up this whole market. The Japanese are going to be in it now. I am going to have access to sell my beef into that market tariff free”. Then they see the Liberals just saying that they are going to restudy it.

● (1730)

I find that really interesting. They say we did not consult; Conservatives did not consult. I asked who was told they could not participate in the consultations; who asked if they could be involved in the consultations to whom we said no. I cannot find anybody. Anybody who wanted to be consulted, who wanted to consult with us and be part of the process, could have. The process was there.

The witnesses who come in front of the committee on TPP—because we have been studying it now for almost a year—are saying that this is the third or fourth time they have made their presentation on this topic and are asking why they are doing it again.

The sad thing about it is that we will do the report, it will come back into the House, hopefully the Liberals will see the light of the day and actually bring in legislation, and then it will go back to the committee. Then we will do it for a fifth time.

Is that a good use of resources? I do not think so. I think Canadians would be very upset if they realized what a dog and pony show is going on with these TPP consultations.

It is one thing to talk about the importance of trade, and it is one thing for some parties to say that they are pro-trade when they are not, and it is quite obvious in how they go about conducting themselves. It is quite obvious in how they go and ask the questions, how they conduct themselves in committee, and how they conduct themselves here in the House.

Some parties just do not understand the importance of trade. They do not understand that Canadians can compete with anybody in the world. They are not scared to compete. Our small and medium enterprises are not scared to go out and compete with anybody in the world. If they are given a level playing field, they will compete.

What they are concerned about is having things forced upon them, like a carbon tax that brings up their costs and that their competitors do not have. Look at a situation where there is a product made with hydro out of Manitoba, which is very green power, and yet they are competing against somebody making something in China, using coal. They can look at that and say they are paying a carbon tax with

green power and losing market share because their costs are so high, but the same product made in China with coal power is now coming in and taking their market. That is what is concerning them about this carbon tax.

That is why it is very dangerous for one jurisdiction to move into situations like this, on a carbon tax or a green power program like the one they did here in Ontario, by itself without having other jurisdictions follow. If we have a true commitment to reduce global warming and carbon, then we have to do it as a globe. That means it has to be a level playing field across the globe. We cannot give preferential treatment to other areas of the world and expect Canadians to bear the brunt of it.

When I look back to trade, I also want to highlight some of the other things that are very important about trade. We can talk about the Honduras deal. That is a deal that will hopefully help Honduras and the people of Honduras establish themselves in a quality of life that actually will help them raise their families, get educated, and get good jobs, so they can turn away from violence and crime and just have a good job and be able to go home and spend time with their family, go to church on Sunday morning. That is what they really want, but when they are not given the opportunities to sell what they have and they do not have the opportunities to have investment into their country, then that does not happen. What happens is they relate to crime and other things.

I will stop right there and take questions on this. The reality is that Bill C-13 should be done. It should go through here with no problem at all. I look forward to seeing TPP come forward. I am looking forward to CETA coming forward. I think that is a trade deal to which everybody in Canada is looking forward.

As one last point, I was talking to some lobster guys in Nova Scotia. Do members know how much lobster is being shipped because of TPP and other trade deals now? The impact of trade deals and what they do for people's quality of life is amazing. Do members know who is driving the new trucks in Nova Scotia? It is lobster fishermen. That tells us of the impacts of trade deals. These guys have a better quality of life, and they buy a truck. Where is the truck made? It is made in Ontario. I cannot see how that can be a bad thing.

● (1735)

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Madam Speaker, I thank my colleague from Prince Albert, whom I hold in high regard. We share some ideas that are not entirely opposed.

During the last session of Parliament, I sat through a few meetings of the Standing Committee on International Trade. We had a few discussions and debates on what constituted support for various treaties or trade agreements. I attended a few meetings during which we discussed the free trade agreement with Honduras. One thing that concerned us in particular was that there was no mention whatsoever of the issue of human rights in the trade agreement.

*Government Orders*

My colleague talked about the fact that we can always hope that signing an agreement and implementing it will improve the political and economic situation of the country concerned. It is very likely that that is the case, at least economically speaking.

I would like my colleague to tell us about political situations that improved in countries where this was a problem, such as Honduras, for example. Is there any evidence that our trade agreements with these countries have brought about any sort of improvement?

• (1740)

[English]

**Mr. Randy Hoback:** Madam Speaker, again it comes back to the NDP being anti-trade and using any type of excuse at its disposal as to why not to do a trade deal.

In regard to human rights, the member was there when we heard from the ambassador of Honduras in committee. She said, if we want to see a human rights improvement in Honduras, let them make a good quality of life, let them have a good job, let them sell the products they make, and let them receive investments from companies like Gildan, the t-shirt company out of Montreal that has a great manufacturing facility. Those are the things that are going to address human rights. It is that engaging in trade that will make that quality of life and deal with those issues.

The NDP approach is to do nothing, but to do nothing would do nothing to help human rights, and that is the reality. The status quo was not working, so why not engage with the people of Honduras, why not raise expectations as we talk to them on what we expect? We know Honduras would be a stronger country; just give it some time. If we were to look back in 10 years, we would see what this trade deal had done for Honduras.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Madam Speaker, I thank my colleague for the work he does in this Parliament as well as the work he did in the last Parliament on trade issues.

I want to pick up on the question from my NDP colleague about the issue of trade deals and human rights, because this is perhaps not discussed enough, the fact that oftentimes we here in Canada would sign associated agreements in terms of environmental protection and labour co-operation, and those presented an opportunity for significant progress on human rights. As well, it has to be recognized in the context of the trans-Pacific partnership agreement. This is a strategically important deal. It seeks to set terms of trade in the Asia-Pacific region in a way that reflects our values, that protects intellectual property, and that protects environmental considerations and labour rights, as well as other kinds of human rights.

My colleague was right when he said that we cannot just take a passive wait-and-see approach and hope things get better. We need to take an active approach. Engaging at a trade level gives us an opportunity to bring about these improvements.

I wonder if the member could comment, with respect to the work we have done in the past, on how the trade agenda also helped to advance Canadian values around the world.

**Mr. Randy Hoback:** Madam Speaker, I will use the example of the TPP. The TPP is a multilateral agreement. Once signed and in force, this agreement would set out the rules for trade in Asia. It

would actually give us leverage to springboard into China and other countries like India and say that these are the rules. It would also give us the clout to enforce those rules.

Bilateral agreements are great for reducing tariffs, but they are not great for non-tariff trade barriers. We have seen that, even with our agreements with the U.S. and country of origin labelling. How long did we have a WTO ruling saying that the U.S. was offside? How long did it take until we were able to get over that ruling and get the results we needed for Canadian farmers?

If a country were to do a bilateral trade deal in China by itself, that country might get tariff reductions but it would not get anything like environmental protection or anything on human rights. If that deal were to be done through TPP countries with a multilateral setting as a base, then the country can insert those in the agreement and then they have to be respected and then they can be enforced.

**Mr. Dave Van Kesteren (Chatham-Kent—Leamington, CPC):** Madam Speaker, I want to thank the member for Prince Albert for an excellent speech. I understand why he is so passionate when he talks about free trade, because it is a subject that is near and dear to all of us who serve on the committee.

To paraphrase Patrick Henry, I regret that I have but 10 minutes to give to this because I think I could speak about this for a long, long time. Why do we benefit from free trade? We had the foreign affairs committee in front of us and it gave us a great tag line: simplify, modify, and standardize. Let us get a quick overview of Canada and why reducing trade costs by 14%—or 17% for the least developed nations—makes a big difference to Canada.

In 1970, Korea was one of the most impoverished nations in the world. Today, we know that Korea is one of the most advanced nations, with an advanced economy. It did that with virtually nothing but produced exports.

Canada, on the other hand, has very much to offer, very much to export. Let us begin with mining. We have large reserves of coal; 32% of the mining in B.C. is coal, 32% is copper, and there is silver and gold. In Alberta we have vast fields of oil and gas. Saskatchewan is the second largest producer of potash. Uranium is also there. I am just nabbing a few; there are so many others as well.

In Manitoba, copper, zinc, gold, silver, platinum, and a number of rare earth minerals are so important to today's market. In Ontario, we have the largest gold mines and nickel and copper as well as platinum and these same rare earth groups as well. Quebec is an amazing story as well. For a while it put the lid on mining, and today 1% of that vast province is mined and 5% is available for mining. The mining there is just incredible. There are so many opportunities. It has re-established itself as one of the world's most attractive mining jurisdictions in the world. I mentioned the minerals that are found there.

*Government Orders*

We can go on to the Maritimes: Nova Scotia where there is gold being mined; New Brunswick where lead, zinc, copper, and potash are also being mined; Newfoundland where iron ore, nickel, copper, cobalt, and gold are being mined and many others are being discovered.

We could go on to forestry, and every province in this country has a forestry industry. It is a huge industry in B.C., Ontario, Quebec, and New Brunswick.

My colleague was talking about farming, and many of us have mentioned the importance of farming. In my riding of Chatham-Kent—Leamington, we are the number one producers of wheat and the second for soybeans.

We could go on across this country. We have huge beef and pork industries, and in the west canola is being produced. Pulse crops are an amazing story: 25 years ago there were virtually no pulse crops grown and today the prairie provinces, particularly Saskatchewan, are becoming the world leader in pulse crops.

I talked in my last speech about the greenhouse industry, and I will do a little more bragging about my riding in Leamington, which has the largest collection of greenhouses in North America. Think about that. It is expanding in Chatham-Kent as well. It is larger than the greenhouse industry in California.

There are potatoes in P.E.I. and blueberries in the Maritime provinces as well. Cranberries are beginning to be an important crop in B.C., Quebec, and Ontario as well.

• (1745)

As we travelled with the committee, we had the opportunity to speak to Maritimers to see how important seafood is. It has been mentioned here before. The U.S.A. was our biggest customer, but today the Asian market is representing huge opportunities. There is Japan, with 120 million people, Korea, and Vietnam, with 90 million people.

Fish, of course, is what we think about with seafood, but snow crab, shrimp, lobster, and scallops are all beginning to be important industries as well.

A lot of times, we like to give up on manufacturing. We think we have lost our manufacturing, and we have suffered. My colleagues from my neck of the woods will tell members about that too.

However, we still have a strong manufacturing base, and we still are growing that base. We have a strong Japanese presence in manufacturing, in the auto industry, in my neck of the woods. The Detroit three are still producing: Ford, Chrysler, and General Motors.

Ford, as a matter of fact, in Oakville, is now going to produce a vehicle for the entire world. Think of the opportunities that will represent when we continue to expand our free trade agreements.

The Honda CR-V, in Alliston, which was moved, incidentally, from the United States, will be expanded to Europe.

We are a trading nation, and we all benefit from it. However, there is another that benefits that we can never forget, and that is the consumer. The free market system has created something for the consumer that rivals anything since the beginning of time.

Free trade, I should add, is the engine of the free market system. The unguided hand is released. Businesses can begin to expand, whatever the opportunity.

When we were travelling with our trade committee, I sat beside a businessman on the airplane who told me he saw an opportunity because of the expanded trade in the oyster industry. He was taking those shells and crushing them and had created a whole new industry in fertilizer. He was telling me how many people were employed as a result.

That is just one story in so many.

If we think back, in North America, to the turn of the 20th century, 40% of the workforce was on the farm. When that 40% was released, men like Henry Ford began to take their ingenuity and what they had learned on the farm to create a whole new industry. Here is a mechanic, from my neck of the woods, again, in Detroit, Ann Arbor, who created the Ford Motor Company. Along with that came so many other industries. The Goodyear, Goodrich, and Dunlop families all produced tires for the auto industry. The many fuel companies began to produce fuel for that industry. There was transportation, shipping, trains, trucking, and the roads. This is just a small piece of what the auto industry did for the North American market. The average American, the average Canadian, could own an automobile.

Competition ensued as a result of that. We had new companies that started up, with improvements and better cars, and it spread to other sectors.

We mentioned our food industry. We talk so much about food, better farming practices, healthier foods, and lower prices. Today about 10% of what we make is spent on food for the average family.

We could go on and on. I think we all agree that what has transpired as a result of the free market system and the free trade that has ensued has been good. It has been good for Canada, but it has not only been good for Canada; it has been good for the world.

As we close this debate, as we move on to vote, I encourage everyone to strike a ye vote for Bill C-13. Let us get this passed, and let us keep on down the road in a direction that we all know is good for this planet and for everyone who lives here.

• (1755)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Is the House ready for the question?

**Some hon. members:** Question.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The motion is carried.

(Motion agreed to, bill read the third time and passed)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Is it agreed to see the clock at 5:57 p.m.?

*Private Members' Business*

**Some hon. members:** Agreed.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** It being 5:57 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

[*Translation*]

### CANDIDATE GENDER EQUITY ACT

The House resumed from May 10 consideration of the motion that Bill C-237, An Act to amend the Canada Elections Act (gender equity), be read the second time and referred to a committee.

**Mr. Robert Aubin (Trois-Rivières, NDP):** Madam Speaker, debating a matter as important as gender parity in politics in order to defend this fundamental right should be an honour and a privilege. Sadly, however, I am somewhat embarrassed to note all the missed opportunities over the years. Therefore, I hope that we will get the job done this time and that all members of our respective parties will seize the opportunity to turn words into action.

Madam Speaker, the fact that I am addressing my comments to you, a female speaker, gives the impression that the problem is practically solved. Without taking anything away from you, that is not the case. We must continue to work very hard so that there are more women working in various capacities in this Parliament.

No one questions article 1 of the Universal Declaration of Human Rights, which states that "all human beings are born free and equal". Therefore, we must acknowledge that political parties should be instrumental in upholding and applying this fundamental principle.

With the election of a Liberal government came a few glimmers of hope. The gender-balanced cabinet was probably the most tangible sign of that. When our Prime Minister saw fit to sum up the facts and his thoughts by quipping that it was, at the time, 2015, I hope I was not mistaken in reading between the lines that the answer was self-evident and the question no longer bore asking. Unfortunately, the question does bear asking, and we must not back down from asking it because women currently hold just 26% of the seats in the House. We are clearly still a long way from achieving the ultimate goal of parity.

I would like to put a fine point on the situation by sharing one figure. Is Canada in 10th, 20th, or 30th place? No, Canada ranks 60th in the world on the proportion of women in Parliament. Without new measures like Bill C-237, it is unlikely that we will achieve parity before 2075. Looking ahead to 2075 means relying on statistical projections, but without meaningful measures to bring about equity, there is little reason to believe we will hit that 2075 target.

Stereotypes are hard to break and I am making it my duty to dispel myths such as the one where women are not interested in becoming actively involved in public affairs, or that they are less interested than men. Nothing could be further from the truth. For example, during the 2011 federal election, more women turned out to vote than men, or 59.6% to 57.3%. Back home in Trois-Rivières, if further proof is needed, the majority of volunteers involved in my

election campaign were women. The issue is not whether women are interested in becoming politically involved, but rather ensuring that the political parties are not an obstacle but rather an incentive for women to become involved in our democratic institutions.

We need to put measures in place to encourage the political parties to recruit more women candidates. That is the foundation of the entire structure of equitable representation of men and women in this Parliament.

One might wonder how the NDP has always successfully managed to recruit more women candidates than the other parties and have more women elected to the House of Commons than all the other parties. Quite simply it is because in our approach to this issue we go beyond the rhetoric and we put policies into practice that are conducive to having more women candidates and electing more women. It is one thing to ask women to run in the ridings, but we must also ensure that these women can run in ridings where the success rate or the chances of winning are also equitable.

By establishing proactive policies on this issue, our party is getting results, getting more women involved in politics, and promoting balance between men and women in the House.

● (1800)

For instance, we introduced our policy of freezing candidate nominations until the riding associations could prove that every effort had been made to recruit women, and that approach was successful. In 2015, 43% of NDP candidates were women. That is nearly 50-50. We are not quite there, but it is pretty close to gender parity. While 43% of our candidates were women, 41% of the elected members in our party are women. That means 41% of the NDP members in House are women. This is the result of our party's concrete policies.

Bill C-237 goes even further and addresses a key element: it interferes with political party financing to give parties an incentive to recruit more female candidates. This serves to confirm the desire to affect representation in the House and improve gender parity.

Under the provisions of the bill introduced by my colleague from Burnaby South, political parties will receive less in public subsidies when women do not make up at least 45% of their list of candidates. For instance, if a party has 25% female candidates and 75% male candidates, its post-election rebate would be cut by 10%. Of course, this version of the bill also offers the various political parties the opportunity to freely choose the rules and measures they wish to use to achieve the desired result.

*Private Members' Business*

Our proposal would correct the systemic under-representation of women in politics and introduce gender parity. Our democracy would be stronger and would better respond to our aspirations if the House of Commons was more representative of the makeup of Quebec and Canadian society.

Some international experiences show in no uncertain terms that my colleague's bill is a step in the right direction. It must be said that, compared to other democracies, Canada is lagging behind. Eleven democracies have adopted laws similar to our proposed legislation, which makes public funding of parties conditional on gender parity.

In France, parties lose a portion of their subsidies if the spread between the percentage of male and female candidates is greater than 2%. Oddly enough, when this incentive was increased in 2008, the number of women elected rose by 46%. Ireland is another example. In 2012, Ireland passed legislation whereby annual public funding of parties would be cut by 50% if both men and women did not make up at least 30% of their candidates. In just one election, this law led to a 90% increase in the number of female candidates and 40% in the number of women elected.

A number of studies show that Canadian voters do not discriminate against candidates based on gender. In Canada, a woman who seeks public office has about the same chance as her male colleagues of being elected. Therefore, we have to ensure that women enter the race.

Therefore, I am asking once more why only 26% of the members of Parliament are women. We could think about this at the same time that we consider an entirely different matter, one that has been debated for weeks and months, and which we will continue to debate, namely the long awaited reform of our voting system. If we had a proportional voting system, the lists of the different parties might result in gender parity and also, why not, correct the balance between cultural communities.

I would have liked to talk about our international obligations with respect to sustainable development because expecting the countries we are helping to meet particular objectives is at odds with a lack of effort on our part to meet those same objectives.

My time is running out, so I will conclude by saying that I hope all parties in the House agree that under-representation of women in our political institutions is an impediment to our democracy. It is our duty to do better when it comes to increasing the proportion of women in Parliament.

If this Parliament's priority is to ensure gender equality, I encourage all members of the House to support this bill and help improve it in committee.

• (1805)

**Ms. Anju Dhillon (Parliamentary Secretary for Status of Women, Lib.):** Madam Speaker, I am pleased to rise today to participate in the debate on Bill C-237, an act to amend the Canada Elections Act (gender equity), at second reading.

I would like to begin by congratulating my colleague, the member for Burnaby South, on preparing this bill and on his hard work on this issue.

[English]

Bill C-237 proposes reforms to the Canada Elections Act by reducing reimbursements for eligible parties based on the difference in the percentages of male and female candidates for a general election. The bill would allow for no greater than a 10% difference in the number of females and males run by a party in a general election. Any difference beyond this threshold would result in reductions to an eligible party's reimbursement.

I am pleased that the 42nd Parliament ushered in the highest number of female members in Canada's history, with 88 female candidates elected. We also saw a record number of female candidates participate in this federal election. Unfortunately, this record number of elected female members represents only 26% of the seats in this place, placing Canada 60th in the world in terms of gender equality in a lower house.

[Translation]

In light of these figures, I would like to thank my colleague opposite for raising this issue in the House of Commons. Our government is committed to fostering gender equality in Canadian institutions and all aspects of civic life. I am proud that we can have this very necessary debate.

Gender equality is a noble and necessary goal that we support. However, we must decide how best to achieve it. I am not convinced that the mechanism in this bill, imposing a legislated gender quota, is the best way to achieve that goal.

I would like to talk about the government's current electoral reform initiatives and discuss other measures that we as MPs can take that might be more effective at increasing the number of female candidates and women elected to Parliament.

[English]

As all members know, the House has struck a special all-party parliamentary committee to examine a variety of reforms to our electoral system, including a wide-reaching and comprehensive study on the use of preferential ballots and proportional representation. Our government would like the view of the committee before introducing legislation.

I would like to point out that Canada's electoral system for the next election is still unknown. It is premature to impose a legislated gender quota designed for the first-past-the-post system.

Gender quotas, such as the one proposed, operate differently under different electoral systems. In fact, of the few countries in the developed world that continue to use the first-past-the-post system, there are none which impose legislated gender quotas on parties, and therefore none which provide useful examples to show how such a quota may function in our current system in Canada.



*Private Members' Business*

●(1810)

*[Translation]*

There are many reasons why it is hard to impose such a quota in a first past the post system. In Canada, one of those reasons is the impact that such a quota would have on internal nomination contests within parties. Aside from the control measures that apply to party financing, nomination contests are usually treated as an internal party matter.

During the previous Parliament, this was debated extensively as part of the debate on the Reform Act, 2014, which amended the provision of the Canada Elections Act on endorsement of candidates to allow parties to choose the people responsible for endorsing candidates, instead of this responsibility always falling to the party leaders.

Under the provisions of Bill C-237, parties could now be forced to impose candidates in some ridings to ensure that their subsidy is not reduced, as it would be if they do not achieve the quota. Despite the pressure to promote open nomination contests, this measure will instead work against the parties' financial interests, their commitment to open nomination contests, and the desire of their riding associations.

I would much rather see my party work with the riding associations to invite more women to run, instead of encouraging the parties to centralize the nominations.

*[English]*

I am sure all can imagine a situation where parties would begin to incrementally stage nomination contests across the country in order to evaluate progress toward the gender quota. The later nomination contests get, the more acute the situation becomes.

We must look to what other like-minded countries are doing, or have done, to work toward gender parity in their legislatures. There is both domestic and international evidence that voluntary gender quotas within parties can be an effective mechanism for increasing the number of female candidates.

I would like to applaud the NDP in this regard. As I am sure the member opposite is aware, the NDP has had a voluntary gender quota at the party level of 50%. In the last election, the NDP fielded the highest percentage of female candidates of any party in the House at 43%, and more than 40% of the current caucus is female. This is an achievement and it brings the NDP very close to the threshold the member seeks in Bill C-237 to implement between 45% to 55% female candidates without incurring a penalty. It also demonstrates that this level of gender equity can be accomplished without the introduction of a legislative amendment.

Likewise, European nations with the highest percentages of female parliamentarians, such as Sweden, Iceland, and the Netherlands, have largely adopted voluntary gender quotas at the party level with great success. Without resorting to legislative means, these countries have some of the highest levels of female participation in the western world.

*[Translation]*

This demonstrates two things. First, since we still do not know what Canada's voting system will look like in 2019, it would be premature to adopt a legislative measure designed for a first-past-the-post system. Indeed, as the NDP demonstrated, the issue of gender inequality can be resolved without resorting to mechanisms governed by legislation.

Gender equality and gender parity in every aspect of political and civilian life are objectives that we must strive for in any way possible.

I thank the member opposite for the exemplary work he did to raise this matter in the House. Nonetheless, I hope I adequately explained the reasons why I cannot support this bill at second reading stage.

●(1815)

*[English]*

**Mrs. Shannon Stubbs (Lakeland, CPC):** Madam Speaker, I am pleased to speak to Bill C-237, an act to amend the Canada Elections Act (gender equity).

Today, 87 years ago, women were recognized as persons in Canada. The fight to get the right to vote was led by five trail-blazing pioneering Alberta women who changed history for all Canadians, paving the way for women's increased participation in public and political life.

Tomorrow is the one year anniversary that voters in Lakeland elected me to represent them as their member of Parliament, and I am proud to serve them and to fight for our communities and our priorities.

The Liberals talk about progress for women, gender parity, and equal opportunity, but it is often just a lot of talk. They seem to really care mostly about appearances. They promote quotas for cabinet. The Prime Minister quips about it being 2015.

However, Conservatives really have the strongest track record of promoting and electing women to powerful positions of leadership, and that is something about which we are proud. Conservatives treat men and women equally because of our conviction that we are equal as individuals, as human beings, in dignity, in capacity, and in potential. Women can compete, we can deliver, and we can win.

Quotas were not needed to elect the first female prime minister, a Conservative. Quotas were not needed for my former boss and long-time friend, Deb Grey, to become the first woman leader of the official opposition in Canadian history. She did not want or need quotas. It is very special for me to represent much of the riding where Deb was elected as the first Reform member of Parliament.

As Conservatives, we will not tell women what they should be, what they should aspire to, or what should animate their dreams. If women want to be mothers, we will support them. If women want to be entrepreneurs, we will support them. If women want to do both and anything else, we will support them.

*Private Members' Business*

We are the party of the first female engineer MP, the first female minister, the first female foreign affairs minister, and the first female prime minister. As Conservatives, we believe women's individual ambitions and efforts are what matter, not what society expects or progressive collective quotas demand.

Conservatives support women in all walks of life, and that is why the Conservatives, especially Conservative women, have always been trail blazers. In fact, it was under a Conservative prime minister that women finally got the right to vote.

Today, we Conservatives are the only party with official status in the House of Commons to have a female leader, and she is the fourth female leader of our movement. That happened because the Conservative MPs knew that the hon. member for Sturgeon River—Parkland was the best person for the job, not because of a quota or because there was an expectation.

I have been involved in politics in many different ways for many years. My experience is that men, younger, the same age, and often much older, have always supported me wholeheartedly, when I was the youngest volunteer, or a staff member, and now. They have knocked on doors with me, promoted me, donated to my campaigns, and volunteered countless hours to help get me elected in the nomination and in the general election.

My Conservative male colleagues, incumbents and rookies alike, always encourage and lift me, and support me tirelessly. My volunteer board is half women and half men, and 20% youth. The full-time staff in both my offices are all women, but they are the best people for the jobs.

When I walk into a room of Conservatives, I know they are assessing me on my merit, work, skills, expertise, knowledge, and character. They judge me on my ability and my competence. They do not fixate on just one of my traits, as if it defines my whole identity or who I am. That is what I prefer. What Conservatives care about is how hard people are willing to work. Conservatives care about action. They prioritize what people do, not what they say or promise.

I know I earned my position in this party and my role for Lakeland, and I will keep earning it. I believe it is my job to do my best at whatever I do. That is what counts.

This bill is undemocratic and it is demeaning. It assumes Canadians are too sexist to choose the right people to represent them, and that parties should be punished for allowing local nomination processes to determine the best local person for the job. This belittles my work and my accomplishments as a candidate, as a member of Parliament, and as a woman, just like all of my formidable Conservative women colleagues and all the strong women here.

I do not want to be treated like a victim who requires a quota to succeed in life. Frankly, the notion that I need legislative coercion to succeed is utterly condescending, and this is the reason why.

My grandmother was the first female mayor of Dartmouth, Nova Scotia, elected in 1973. She was a councillor, a journalist, a wife, and a mother of eight. She was always described as expressive,

passionate, “voluble and aggressive”, a firebrand. Therefore, my colleagues will forgive me for coming by it honestly.

● (1820)

My Missy Nan never wanted special favours or treatment for being a woman. She told me that the best way to succeed was to work harder and to be more prepared.

As a new opposition MP from rural Alberta, like me now, the hon. member for Sturgeon River—Parkland once said that working women did not need men in Ottawa telling them how to live their lives. Today, as then, I agree. This bill is typical of an ideology that government is always the fix. I would love to see more women run for political office, but the idea that parties should be forced to choose women over men under threat of financial punishment does a disservice to women everywhere. It says that Canadian women cannot achieve success on their own merit.

I want people from all walks of life, all ethnicities, ages, or genders running for office. I want the best possible representatives from every community to be elected, so we must forever be vigilant for freedoms and for our belief in the equal sanctity and dignity of every individual as a human being. The task is monumental.

Before the Taliban took over Afghanistan, girls were allowed to go to school; afterward, they were not. Before the Iranian revolution, women were free to wear what they wanted; afterward, they were forced to cover their hair. It is possible for societies to go backward on women's rights, so we as citizens of free democracies must embolden the inherent equality and liberty of all individuals everywhere. It underlines how privileged and fortunate we are here.

The NDP believes that gender parity of Canadian political candidates is the most pressing issue today when women in other countries face almost unimaginable oppression and harm. In Niger, 76% of women between the ages of 20 and 24 reported marrying before the age of 18, and 28% before the age of 15. In some African countries, women and girls are brutalized by ritual female genital mutilation. In Tanzania, 50% of women are pregnant before they turn 18. Many women in developing countries either die from childbirth or lose their babies. That is why the former prime minister and Conservative government focused Canada's foreign aid on maternal health in the developing world, because while Liberals talk about their support for women, Conservatives act.

*Private Members' Business*

I am incredibly proud of the hon. Leader of the Opposition. I first met her in university. I was immediately inspired by her intelligence, her work ethic, and her integrity, and I volunteered on her first nomination campaign. From the moment I met her, I have seen that she always works harder than anyone else. She inspires those around her to do the same. That is how she leads us. She is a constant champion for the rights of all women and girls, and against violence and persecution in Canada and around the world. She succeeded with Plan International to establish the International Day of the Girl.

Just two weeks ago, she addressed a gathering of 11,000 Conservatives in the U.K. about the serious issues facing women and girls around the world. That is leadership. She lifts women up, recognizes their strengths, and promotes their talents.

At the time she was appointed in 2006, she was the youngest female cabinet minister ever, a record later broken by another Conservative, the member for Calgary Nose Hill. She held 10 different senior portfolios under the previous government. She kept the confidence of a demanding leader and has earned her well-respected place here in the chamber and in Canada. She will leave our party in a stronger position and has built an admirable legacy. I consider her an outstanding role model for Canadians, especially women. She is exceptional.

I am a Conservative. I believe in democracy, personal responsibility, freedom, and equality as the fundamental values of civilization. This bill would simply use taxpayer dollars to interfere in local democratic processes. So I say to women, as Nellie McClung once said and my mentor Deb Grey reminded me often when I worked for her and continues to now, "Never retract, never explain, never apologize—get the thing done and let them howl!"

● (1825)

**Ms. Sheri Benson (Saskatoon West, NDP):** Madam Speaker, it is my distinct privilege to rise in the House today to speak in support of Bill C-237, sponsored by my colleague from Burnaby South. It is a bill whose time has come, and I encourage all my colleagues to support sending Bill C-237 to committee.

Studying this bill at committee will send a powerful message to the electorate that says that this session of Parliament has the courage and conviction to assess and remedy why in 2016 our Parliament is not representative of the electorate. It will send a message that we have finally moved beyond blaming individual women for not running for office, and it will examine how the current structures, systems and institutions present barriers to women seeking to be elected as members of Parliament.

Bill C-237 would make it possible for more women candidates to present themselves in the electoral process and therefore help more of them get elected. As they say, one cannot win if one does not play, and so it is in electoral politics, one cannot be elected if one is not able to run.

We know from research that it is not the electorate that does not vote for women candidates. Women candidates win elections at the same rate as men candidates. It is not the electorate but political parties that fail to nominate a representative slate of candidates to the electorate.

We also know from research that women candidates need to work harder and have to spend 10% more money on average than men candidates to get elected.

Many of my colleagues hear the phrases "gender equity in candidacy" and "financial incentive" in the same sentence and instinctively shy away. They have a fear that somehow levelling the playing field could have a disruptive implication on the system, and it will. The system will be fairer for all candidates. Personally, that type of disruption I look forward to.

The bill is not about limiting the number of male candidates. I will repeat what the member for Burnaby South said earlier and clarify that the threshold of 45% of candidates identifying as female was chosen to allow for the flexibility to choose the most qualified candidates.

The bill is not about marginalizing other minority groups seeking representation. I would suggest it could seek to address one aspect of an issue that has many intersections and could potentially serve as an incentive for political parties to nominate more indigenous women and women of colour.

Finally, the bill does not seek to minimize the hard work that every woman currently in the House has put into getting elected. Rather, gender equity in candidates is about recognizing that women face barriers within political parties that their male colleagues do not

The bill offers the opportunity for this Parliament to acknowledge systemic discrimination within the current candidate selection process and provide a remedy to address it. Without dismantling the barriers that prevent women from running, we cannot truly encourage or expect qualified women leaders to participate in our democracy to their fullest capacity.

Being able to sit in the House of Commons as a woman was a hard-won achievement for each and every one of my female colleagues, from the very early stages of winning their respective party nominations, through all the different aspects and phases of a long campaign. However, many women who had the courage to even begin the process have found themselves pitted against a whole array of obstacles that makes winning even the nomination an uphill battle.

In a post entitled "Where are all the women (candidates)?", Kate McInturff from the Canadian Centre for Policy Alternatives lays out just a few barriers that women face.

She discusses work and life balance, how elected office at any level demands long hours on an irregular schedule, and how for women with young children and dependent family members, this poses a real challenge. She says:

Women still perform double the number of hours of unpaid childcare work as do men, they are three times as likely to take time off from work for family reasons and they are more than ten times as likely to cite childcare as a reason for not working full time. Even if you can manage a full time schedule and find a childcare spot, there's still the problem of what to do when there's a council session that runs until 11pm or a community consultation on a Sunday.

The second is that women are told not to be bossy. She says:

*Private Members' Business*

Study after study demonstrates that, as a society, we don't always respond favourably to women stepping into public leadership roles. Female politicians, in particular, are often portrayed as overly aggressive...At the same time, female politicians are subjected to questions about their hair and clothes that have no parallel in interviews with male politicians. Or they get what [is]...referred to as "the princess treatment"—all hair and no policy.

Finally on violence, she says:

From the time they are teenagers, girls are subject to harassment in public. That's a lesson young women are learning about the risk of being in public.

And it's an accurate lesson.

● (1830)

Again, the presidential race in the U.S. provides compelling and distressing evidence that women are objectified, ridiculed, dismissed, and subjected to unequal and disrespectful treatment. Lest we feel too smug, closer to home, the female premier of Alberta has been subjected to death threats, misogynistic slurs, and other threats of violence. This has to stop.

The statistics on this issue are familiar to all of us. It is 2016 and women still hold only 26% of the seats in the House of Commons, an all-time high. It is clear that we must do better.

This past International Women's Day, I had the privilege of participating in the women in the House program. It was a pleasure to have two students from McGill University and the University of Toronto shadow me on March 8th and 10th respectively.

The young women who shadowed me in March were bright and capable, and they have much to offer in service to their communities and to this great country. I want to make sure I do whatever I can to level the playing field so that these young women can one day take their seats in the House of Commons. However, at the current rate women are being elected to the House of Commons, a gender-balanced House is not projected until 2075. I am sure that none of my colleagues think this is desirable or acceptable.

Of course, the unequal playing field in the candidate selection process is not the only form of systemic discrimination to which women of Canada are subject. As vice-chair of the Special Committee on Pay Equity, I am extremely disappointed that this so-called feminist government has decided to make working women wait another two years for a fundamental human right. This is completely unacceptable. There is no reason to postpone fairness. Canadian women have been waiting for decades to receive equal pay for work of equal value, and it is way past time for the government to correct this injustice.

This is just another example of how women are systemically discriminated against. It is realities like the widening wage gap that make bills like Bill C-237 necessary. It is only logical to assume that higher numbers of female candidates will lead to more female representation and with that, perhaps, a Parliament that feels a greater urgency to tackle long-standing gender-based issues such as the wage gap. The time has come for the government to stop talking about its feminist values and start acting like feminists. Supporting Bill C-237 would do just that.

Bill C-237 is not about guaranteeing 50% women in the House. The bill is not about guaranteeing anyone a seat in the House of Commons. The bill is about offering the electorate the opportunity of electing a House of Parliament that is more representative and

reflects them in the House of Commons. Canadians are not holding women back from being elected. It really is the systems and structures of our political parties that are.

It is naive to say that somehow institutions and systems like political parties will somehow magically evolve over time to be free of sexist and racist barriers. There are limits to voluntary measures and good intentions.

As my colleague from Ottawa West—Nepean stated in her excellent speech to the House on Bill C-237:

In virtually every case where countries have achieved gender parity in Parliament, it has been done using mandatory legislated measures, regardless of the electoral system. In Canada, at the current rate, even with party leaders who have a strong commitment to electing more women, we will not achieve parity for another 90 years, unless we make some changes, which in my view cannot be left solely to the goodwill of political parties.

I am proud to say that the NDP has always had the highest percentage of female candidates, and that is because we have worked very hard to remove the barriers to women's participation, but we can and must do even better.

It is my hope that my colleagues will vote in favour of sending this legislation to committee so that the day will come sooner rather than later when we will elect a truly representative Parliament.

● (1835)

[*Translation*]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Madam Speaker, I am pleased to rise to speak to this bill introduced by my colleague from Burnaby South. This issue is important to me because I truly believe that we need to have more women in politics.

I will provide a brief overview of the situation in Abitibi—Témiscamingue. It was not until the 28th election in Canada, in 1968, that we had our first female candidate in Abitibi—Témiscamingue, Aurore Charron-Labrie.

In 2011, I was the first woman elected to be the federal member for the riding of Abitibi—Témiscamingue. Sadly, we have also had only one female provincial member and that was Johanne Morasse. We do not have a strong history of female elected members in my region. I am pleased to have changed that.

Let us now look at the elections held after fairly major changes were made to the electoral boundaries in 2004. There were no women candidates in 2004. In the 2006 election, which was my first election campaign, there were two women, and that represented roughly 30% of the vote. In 2008, there was only one woman, representing about 10% of the vote. In 2011, for the first time, women garnered more than 50% of the vote with two candidates. I have to admit that I was a big part of that because I garnered more than 50% of the vote, or 51.22% to be precise. For the first time, we got 50% of the vote. Finally, in 2015, women had just over 70% of the vote. It was the first election where there were equal numbers of male and female candidates. We can see that it took some time to happen.

I would now like to go back to some comments made by different speakers, which shocked me.

*Private Members' Business*

First of all, people talked about quotas, but my colleague's approach is completely different. Knowing that quotas tend to be polarizing, he decided to propose a mechanism that rewards parties whose slate is more than 40% female. That does not prevent parties from not having female candidates. It is not a quota because it does not prevent a party with no female candidates from nominating a candidate in a riding. This approach includes a financial penalty because that can be an incentive. Nevertheless, it is not a prohibition. It is not inconceivable that a party would do so. Unfortunately, it happened in France, where there was a similar measure, and the UMP decided to pay the fine and not worry about it.

This is not a quota system. It is a system that offers a reward to motivate people without forcing them to do anything. Parties still have room to manoeuvre as they see fit. If they are not concerned about the financial aspect, they can do as they please. I think this is a better approach than imposing quotas, which would have further polarized the debate.

I also heard some of my colleagues mention the impending electoral reform, the reform of the voting system, saying that this bill is premature. In every potential voting system, the parties still have one candidate per party. In every voting system that appears worth considering in the discussion on electoral reform, we are talking about a system in which the parties have candidates to fill the positions. Therefore, no matter which voting system we end up with, my colleague's bill still applies.

I would now like to talk about one interesting example, because I think it is worth mentioning. I am the vice-chair of the Canadian branch of the Commonwealth Parliamentary Association. We regularly receive people from other countries who come to speak to us. I would like to talk about a situation in Rwanda, because it was the first country to have more than 50% women MPs.

• (1840)

During the 2013 election, women won 64% of seats in the Rwandan parliament. It is important to mention. Here is an article on the subject:

[*English*]

Kigali, Rwanda – The 2013 Rwandan Parliamentary elections ushered in a record-breaking 64 per cent of seats won by women candidates. The Government of Rwanda, with the UN as a key partner, has been pursuing gender equality since 1994. The political participation of Rwandan women has been facilitated by a constitutional mandate and the work of key institutions, notably the Ministry of Gender and Family Promotion, the Rwanda Women Parliamentarians Forum (FFRP), National Women's Council (NWC) and the Gender Monitoring Office (GMO). Rwandan women have created a remarkable political space for themselves in just twenty years.

[*Translation*]

It is important to take the time to understand the situation. These women probably have many other concerns. They are sometimes victims of violence and might even live in poverty. Indeed, the daily life of a woman in Rwanda is probably not easy.

Still, the people of Rwanda decided that it was important to work on gender parity in their parliament. They decided that in order to give women's issues greater priority within their parliament, they had to introduce concrete measures. That worked, because women managed to secure 64% of seats, and that happened in a country like Rwanda.

There are still people who would have me believe that this is not important, that we need not take any action on this, and we need not be concerned about it, even though this is Canada and we have the ability to do something. It makes no sense. Even Rwanda was able to do it.

Action must be taken in this regard. There are real-life examples where this has worked. The Rwandan Parliament changed its way of doing things. I am impressed every time I talk to my Rwandan colleagues, who sometimes visit me in Canada through the Commonwealth Parliamentary Association. They have come a long way, despite everything that has happened in the history of Rwanda. They succeeded against all odds.

In 2015, only one-third of the election candidates were women. In 98 ridings, there were no female candidates running for any of the three main parties. Nevertheless, the NDP decided to take a practical approach to recruiting female candidates, and 43% of our candidates were women, as opposed to only 31% of Liberal candidates and 20% of Conservative candidates.

I mention that because, at this rate, if we do not take more concrete measures, we may not achieve gender parity until 2075. That is 60 years from now and even that is not a given.

Can we afford to wait another 60 years to achieve parity when a country like Rwanda was able to make the necessary effort and reach parity in 20 years? That is completely absurd.

My colleague has introduced a very worthwhile bill. He chose a different approach, one that does not involve quotas, in order to give the political parties some wiggle room. This bill is worth sending to committee. I am sure that my colleague is open to suggestions to improve it, as he has always been. It is so easy to talk to him. If any of our colleagues have questions, they just have to ask him.

If we do not want to wait 60 years, we need to send this bill to committee. Women have waited long enough and we have concrete evidence that proves that we can take action.

• (1845)

[*English*]

**Mr. Kennedy Stewart (Burnaby South, NDP):** Madam Speaker, it is a great pleasure to stand here today, and it has been a pleasure listening to the debate, or most of it, on my bill.

I would ask members to take a look around the House of Commons. This is a place of moments. This is the place where we decided women should get to vote. This is the place where we decided that women should become people in the eyes of the law. This is where we decided that first nations people should get to vote. This is a place of moments, and we are having a moment right now. The bill that I put before the House, Bill C-237, is an effort to move us out of the 64th place in the world in terms of how we sit in representing women being elected to this place.

*Private Members' Business*

We have had some extraordinary moments around the debate. For example, we have had the Minister of Democratic Institutions and the Parliamentary Secretary for Status of Women stand up in the House and say that they were not feminists. We have had women on the other side of the House stand up and reveal that they are not feminists. They actually side with the social Conservatives on this side of the House, which is strange to see, because this is a moment where the feminists in the House will stand up and vote for the bill. That is what will happen tomorrow, or will not happen, and it is a fairly serious moment.

Tomorrow marks the one-year anniversary of the election, so we have been here a year. We only have 36 months left. I wonder how many bills of this nature will come forward in the House. How many chances will members get to stand up and say, "I am a feminist and I agree that there should be more women in the House of Commons". When will that happen? It will not happen.

This side of the House has put up all kinds of arguments, especially from the government side, as to why the bill should not be passed. They said that it is a quota, but it is not. It is an incentive scheme that is used in other countries very successfully. They said that there are constitutional reasons and that it would be struck down by the courts, and of course, they quickly retracted that because they actually did not have a legal opinion to counter the very facts of my bill. In fact, I have a legal opinion from the House of Commons legal team that says that not only would the bill meet all the requirements of the charter; it would actually help us meet our charter goals.

We have nothing from that side of the House as to how we are going to move from having 26% of women MPs elected in the House. We have a Prime Minister who goes all around the world saying how much of a feminist he is, but there is no concrete action. We have rhetoric from that side of "I'm a feminist", and we have some symbolism, which I think we should be proud of with having a gender-balanced cabinet, but what we do not have is any real, concrete action.

In the world, we have over 100 countries that have legislated some laws to make sure that there are more women in their legislatures, and Canada has not done that. As a result, when the Prime Minister was elected, we were 60th in the world in terms of the percentage of women in our legislature, and we have already dropped to 64th. Four years from now when we have our next election, I bet we will be around 70th or 75th. We are dropping like a stone in this ranking, and it is disconcerting.

There is a chance tomorrow for the bill to pass. Again, I know the Conservatives will not vote for it, because they are opposed. They will not stand up and say that they are feminists. However, the Liberals have.

**Mrs. Kelly Block:** You don't get to define feminism.

**Mr. Kennedy Stewart:** I am being heckled by the Conservatives.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I just want to remind the member that when a member is speaking, no member shall interrupt him or her except to raise a point of order. I have heard interruptions from both sides of the House.

I would remind people that they had an opportunity to either speak on the issue or ask questions on the issue. Therefore, I would

appreciate it if they would respect members who have the floor so that they can complete their speeches.

**Mr. Kennedy Stewart:** Madam Speaker, I understand that passions run high, but it is time to actually come clean and we are going to do that tomorrow night.

When we have the vote on the bill tomorrow night, there will be a call that essentially asks whether each member is a feminist or is not a feminist. If members stand up and vote for the bill, they are feminists. If they stand up and say nay to the bill, they are not feminists.

Now there are plenty of folks on that side of the House, the Conservatives, who say that they are not feminists. That is fine, and I actually respect that, because at least they are telling us the truth. However, on this side of the House, we are having all kinds of rhetoric from the Prime Minister and cabinet that they are feminists, yet we had the Minister of Democratic Institutions stand up saying that she is not going to vote for the bill.

If members can believe it, we had the Parliamentary Secretary for Status of Women stand up in the House and say that she is not going to vote for the bill, without giving any alternatives as to how we move from 26% of women elected in this place. I have to say that it is greatly disappointing.

There are many groups in society that support the bill. We have Leadnow, Samara, major labour unions, and all kinds of folks. I am sorely disappointed with what I am hearing from the other side of the House. I hope the backbench will rise up and help this cabinet do the right thing.

• (1850)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** In my opinion the nays have it.

*And five or more members having risen:*

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Pursuant to Standing Order 93, the recorded division stands deferred until Wednesday, October 19, 2016, immediately before the time provided for private members' business.

*Adjournment Proceedings*

● (1855)

[Translation]

**ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[English]

## STATUS OF WOMEN

**Mr. Kennedy Stewart (Burnaby South, NDP):** Madam Speaker, I guess I get to continue my previous speech, because this adjournment proceeding is on the debate with the Parliamentary Secretary for the Status of Women.

This debate arose when the Minister of Democratic Institutions and the parliamentary secretary supposedly had some kind of legal judgment that said that my private member's bill was unconstitutional. I have here in my hand a memorandum from the House of Commons law clerk and parliamentary counsel that says that not only is my private member's bill, Bill C-237, the candidate gender equity act, constitutional, it actually would enhance the charter and help move us toward the goal of supporting gender equality.

Bill C-237 is an important move forward in the fight to bring gender parity to the House of Commons. With a mere 26% of MPs sitting in the House being women, we are far away from having gender parity. In fact, we are ranked 64th in the world when it comes to this certain characteristic of our House.

It is extremely disappointing. I asked the Parliamentary Secretary for the Status of Women the question in the House of Commons to get clarification on why they are opposing my bill. They do not have any ideas as to how we can increase the number of women in the House. They have just been trying to put up a smokescreen to stop my private member's bill. That is extremely disappointing.

We are in desperate need of some kind of legislative change here in the House. The bill I put forward is an incentive. It is not a quota. It uses existing funding that is provided to parties by Elections Canada. It uses that money as an incentive for parties to run more women candidates.

We know from the research that we need more women candidates to have more women MPs. That is just a simple conclusion.

The reason we do not have more women candidates is that parties simply block women from becoming candidates for political parties. I have been studying this for 20 years. I did my Ph.D. at the London School of Economics on this. We found in one study of Canadian legislators that when women are in head-to-head competitions in nomination contests, women are six times less likely than men to win, simply because of bias within the parties.

I just wanted to rise to say that the bill I put forward is constitutional. I have documentation, which I would be happy to table or to show to anyone who is interested in seeing it.

I would also like to hear, from the parliamentary secretary, why they said they had legal advice, when they actually did not have it.

**Ms. Anju Dhillon (Parliamentary Secretary for Status of Women, Lib.):** Madam Speaker, I thank the hon. member for raising that question this evening.

We are committed to promoting gender parity in our public institutions and all aspects of civic life, and I am very pleased to talk about this issue.

Our government made a firm commitment to promoting gender parity in public life. That commitment is reflected in our gender-balanced cabinet and the mandate letters that call on ministers to promote parity within the federal government.

Gender parity is our goal, but my colleague's proposal to legislate quotas is not the way to achieve that goal. There are three reasons for that.

First, while the government supports the goal of gender parity in Canadian politics, the mandatory quota in this bill is problematic on several fronts with respect to the Canadian Charter of Rights and Freedoms, the most significant of which is how it would affect the smallest of our political parties.

Under this bill, a party that has just one male candidate or one female candidate will necessarily have 100% disparity between the sexes, resulting in a 22.5% reduction in reimbursement. The major political parties have the resources to adapt to that, but the parties that run just a few candidates and would be eligible for a reimbursement would be disadvantaged.

What is more, this bill creates political and financial reasons to refuse to nominate qualified candidates because of their gender. Accordingly, the bill limits independent candidates on the one hand, and independent parties on the other hand.

They are limited not only in their choice of candidates, but also in their position on gender equality. For example, if a party composed only of women were created to increase women's participation in our democratic system, those women would be penalized by this bill.

[English]

A second concern I have with this bill relates to transgendered candidates, as there is no mention of non-binary candidates in the bill. The government has taken a strong stance on gender identity and expression and has introduced legislation that would explicitly protect the rights of non-binary Canadians. In this vein, it would be inconsistent to support a bill that fails to recognize the transgendered community. This bill would reaffirm the notion of binary gender identity and in doing so it would exclude transgendered people. It would ignore transgendered people altogether, and we do not do that in Canada.

*Adjournment Proceedings*

Last, in addition to these concerns, I believe it is simply premature to adopt a gender parity measure designed for the first past the post system. Our government has committed to reforming our current electoral system. As the voting system for the next election is still unknown, it is not logical to impose a legislated gender quota for a first past the post voting system. In a first past the post system, gender parity among party candidates does not ensure gender parity in the House of Commons if women candidates are not run in winnable ridings.

**Mr. Kennedy Stewart:** Madam Speaker, I am sure the parliamentary secretary will go back to her cabinet meeting tomorrow and get a big slap on the back for putting up another smokescreen about my bill. Of course, the member knows it is not a quota; it is an incentive system. Of course, she knows that the 10% threshold is in there specifically for non-binary candidates. It is just astounding to me that the member could be the parliamentary secretary for the status of women and not support this bill. It is just beyond me. Moreover, her lack of any suggestions as to how we could have more than 26% of the House made up of women is surprising. It really is astounding that the member has picked partisanship over being a feminist.

That is too bad, because tomorrow night we are going to have a vote, and then in 36 months when we have another election, she will look back on her career and say, “What did I do? Did I stand up for feminism in the House? I did not”. I think that is a shame.

We all make our choices in the House, and I am sorry that the member has made this choice.

• (1900)

**Ms. Anju Dhillon:** Madam Speaker, I find my colleague's comments very unacceptable and undemocratic, but he is entitled to his opinion.

Gender equity is a laudable and necessary objective and one which we support wholeheartedly. In working toward this goal, however, we must select the most effective way of achieving it and it will happen. As all members know, the government will, in short order, be working with the other parties of the House in the form of a special all-party committee, which will be mandated to examine a variety of reforms to our electoral system, including other electoral systems, such as preferential ballots or proportional representation. My colleague's concerns will be addressed when we do this.

In other words, Canada's electoral system for the next election is still unknown. I believe that under these circumstances, it is premature to impose a legislated quota.

[*Translation*]

MINING INDUSTRY

**Mr. Robert Aubin (Trois-Rivières, NDP):** Madam Speaker, I would have gladly cancelled this adjournment debate had I seen some action or sign that we were heading in the right direction between the time I asked the question and today. Nothing has happened.

I will provide some background information for those interested in the appointment of an ombudsman to monitor the activities of our mining companies operating abroad and to conduct investigations as needed.

I became aware of this issue in 2009, when the Conservative government introduced its first strategy for promoting corporate social responsibility, a Conservative-style initiative, one that was voluntary, non-binding, and had no teeth, and that seemed to be more a symbolic gesture than a real measure.

At the time, the NDP and the Liberals both expressed serious reservations, which we reiterated in 2014, when this same strategy was revised.

In the 41st Parliament, the previous Parliament, the NDP introduced a solid bill sponsored by my former colleague, Ève Péclet, who I now have the pleasure of naming, to establish a real ombudsman that would have real investigative powers.

I would like to remind members that, at that time, the member for Notre-Dame-de-Grâce—Westmount, who is still a member of the House, said:

With regard to the bill itself, let me reiterate again that it is a very well-intended piece of legislation.

After the Liberals were elected in 2015, there was an evening of lobbying with our main international development partners. Once again, the Liberals hinted that the creation of the position of corporate social responsibility ombudsman for extractive companies was imminent. However, today, it is clear that no such bill is in the works.

In a meeting of the Standing Committee on Foreign Affairs and International Development, I had the pleasure of discussing this matter with the Minister of International Development, who answered one of my questions by saying, “We aren't there yet, but I wouldn't want us to go backwards.” Since then, it has been radio silence.

My question is simple: what is going on with the appointment of a corporate social responsibility ombudsman?

**Mr. David Lametti (Parliamentary Secretary to the Minister of International Trade, Lib.):** Madam Speaker, I thank my hon. colleague for his question and his interest in this very important issue, which is sure to become even more important during our term.

Inclusive economic growth that benefits everyone is a priority for Canada, and we expect our businesses operating abroad to do so in a responsible manner, while respecting human rights and all applicable laws, as well as in a manner that is environmentally sound and socially responsible. Canada committed to corporate social responsibility quite some time ago, particularly through our efforts to develop and advance international recognized standards for corporate responsibility. This includes our efforts with the OECD.

We understand that how our companies do business abroad has a profound impact on Canada's reputation. Canadian businesses operating abroad must show leadership when it comes to developing responsible international business practices for the well-being of the inhabitants of the planet. In that regard, the Canadian extractive industry plays a pivotal role. The fact that Canadian mining companies operate all over the globe means there is considerable potential for them to demonstrate responsible practices. Those practices could be a key to improving the lives of people and communities.



*Adjournment Proceedings*

We made it clear that all companies must reflect Canadian values in their conduct abroad. Nevertheless, we recognize that companies and communities sometimes need help to make sure that projects are good for both the company and the people. Our government is evaluating the role of the Extractive Sector Corporate Social Responsibility Counsellor and looking for ways to strengthen it. We are giving a lot of thought to mechanisms that will support Canada's demonstrable and practical global leadership in corporate social responsibility.

We must remember that Canada's existing corporate social responsibility framework is based on advancement of recognized international standards; on building networks and partnerships with stakeholders; and on facilitating dispute resolution between Canadian mining sector companies and those affected by their operations abroad.

On that last point, we need to talk about the two dispute resolution mechanisms currently in place. The first is through Canada's National Contact Point, which was set up in 2000 as part of our commitment to the OECD Guidelines for Multinational Enterprises and can be used in all sectors. The second is the Extractive Sector Corporate Social Responsibility Counsellor, a role created as part of Canada's corporate social responsibility strategy for the extractive sector abroad.

With this in mind, the government is currently reviewing its approach to corporate social responsibility in an international context while actively listening to civil society and companies operating abroad.

We remain committed to showing real international leadership on this issue.

● (1905)

**Mr. Robert Aubin:** Madam Speaker, I thank my colleague for his answer, but unfortunately it is rather evasive. It seems to be full of good intentions and rhetoric, but very indicative of a step backward in the approach.

If I understand what my colleague is saying correctly, the government is looking at how it might improve the Conservative approach by having discussions. However, during the 41st Parliament, the Liberals and New Democrats were united in calling for an ombudsman who would have investigative powers and the power to influence.

Obviously not all Canadian industries promoting Canadian values abroad can be painted with the same brush as being part of the problem. It is a matter of having an important and influential mechanism that can be used for the handful of businesses that are not only making Canada look bad abroad, but are also causing major harm in countries where they are using natural resources.

I will stop here and hope to get a substantive response.

**Mr. David Lametti:** Madam Speaker, we are not taking a step backward.

We are going over all the options. When we look at ways to enhance Canada's approach to corporate social responsibility, we have a lot of tools available to us.

We are thinking about the 150 Canadian trade offices abroad, facilitating dialogue for conflict resolution, fostering the environment for responsible business practices, and promoting recognized corporate social responsibility policies, including the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, and the Extractive Industries Transparency Initiative.

We have a corporate social responsibility framework in place, as well as two dispute resolution mechanisms offered through Canada's National Contact Point and the extractive sector corporate social responsibility counsellor.

Canada is taking action. We will continue to assess the situation and work on improving it.

● (1910)

## OFFICIAL LANGUAGES

**Mr. François Choquette (Drummond, NDP):** Madam Speaker, I am hoping to get better answers during my adjournment debate than my colleague from Trois-Rivières got.

I want to talk about the fact that documents relating to TransCanada's energy east project were submitted in English only. On May 19, I asked the Minister of Canadian Heritage about the many ways TransCanada's energy east pipeline proposal violated the Official Languages Act.

My questions coincided with the publication of a report by the Commissioner of Official Languages that identified grievous instances of non-compliance with the Official Languages Act and found that major work was needed to improve the situation.

The energy east project application to the National Energy Board was submitted in English only, which is of course totally unacceptable. Pursuant to the Official Languages Act and bilingualism, both languages, French and English, are equal. Neither is superior to the other. Accordingly, documents must be submitted in both official languages at the same time.

That is why, on May 19, I asked the Minister of Canadian Heritage, who, I would remind hon. members, is also the minister responsible for official languages, how she justified the fact that francophones had to wait a month longer to have access to the document in their language. All these months later, the matter is still not closed.

This is not a new situation. On December 15, 2014, the Centre québécois du droit de l'environnement, the CQDE, had already started tackling certain problems. The centre does excellent work, not only on this file, to have the official languages respected, but also on the environment, particularly on the striped chorus frog file, which I followed closely. This centre managed to protect the striped chorus frog in Quebec and we must congratulate it on its excellent work.

The CQDE made a request to the National Energy Board concerning a TransCanada document the NEB posted on its website in French. Instead of posting all the documents, totalling some 39,000 pages in French, the NEB posted only a six-page summary.

*Adjournment Proceedings*

Just imagine that for a moment. A francophone concerned about a TransCanada pipeline receives nothing more than a six-page summary, while anglophones have complete access to 39,000 pages of documents in preparation for possibly taking part in public consultations.

This is totally unacceptable. The Liberal government said it would reevaluate the environmental assessment process and that it would remove it from the National Energy Board in order to have a more sound, more serious, and stricter assessment process. Unfortunately, that has not happened yet.

I would like my colleague's comments on that.

• (1915)

**Mr. Randy Boissonnault (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.):** Madam Speaker, I thank the member for Drummond for his question. The Government of Canada, and all Canadians, firmly believe that access to federal services in the language of their choice is a fundamental issue.

We firmly believe that Canadians who want to access public information from federal institutions must be able to do so in the language of their choice. We all know that every Canadian has the right to communicate with the government and federal institutions in the language of their choice, and that federal institutions are required to provide services in full compliance with the Official Languages Act. We also believe that both official languages are on an equal footing.

In this case, the National Energy Board had asked TransCanada to provide a consolidated version of its application in both official languages, which TransCanada agreed to do. The French version of the document is available.

Last May, in the House, the Minister of Natural Resources answered questions about this during question period. He said that he regretted the amount of time TransCanada needed to provide the French version of these documents.

As the Minister of Canadian Heritage has already told the House, our government continues to work on the measures needed to ensure that all Canadians have access to these documents in the official language of their choice. Since he is a member of the Standing Committee on Official Languages, the hon. member knows that our government believes in the importance of encouraging and fostering

the use of the official languages in all of Canadian society and in all sectors of activity.

We are therefore coordinating our efforts to continually improve services to Canadians. We are actively working with the Treasury Board president to ensure that all federal services are provided in full compliance with the Official Languages Act.

**Mr. François Choquette:** Madam Speaker, yes, the documents are in French, but that was not the case until a month later. That is hardly equality.

Furthermore, the French version is not on equal footing with the English version. In other words, the English text is the one considered valid, while the French text is merely for reference, because it cannot be relied upon, when both documents should have the same value when they are tabled.

The Centre québécois du droit de l'environnement is still fighting this in the courts, because it wants both documents, the English version and the French version, to be recognized as having the same value, with both having the same force of law during the hearings that will take place. At present, one is considered superior to the other, which goes against the spirit of the Official Languages Act.

**Mr. Randy Boissonnault:** Madam Speaker, our government is determined to promote and foster the use of both official languages throughout Canada, especially in communications and service to the public.

The Minister of Canadian Heritage is mandated to work with the president of the Treasury Board to ensure that all federal services are provided in full compliance with the Official Languages Act. We are fully committed to achieving this objective across government.

I would again like to remind members that the National Energy Board has already taken the initiative of requesting French copies of these documents and that TransCanada agreed to this request.

We will ensure that Canadians have equal access to these documents in the language of their choice.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:19 p.m.)





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