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OFFICIAL REPORT
(HANSARD)

Wednesday, January 28, 2015

The Honourable PIERRE CLAUDE NOLIN
Speaker

CONTENTS

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THE SENATE

Wednesday, January 28, 2015

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of friends and family of the late Mr. Adam Hutt, a former staff member of Senators Cowan and Fraser. In attendance are: Adam's mother, Brigitte Robinson, and her partner, Roger Taylor; Adam's grandmother, Elizabeth Robinson; Adam's cousin, Amélie Crosson-Gooderham; Adam's best friend, Joel Whitty; and a friend of the family and our former colleague, the Honourable Landon Pearson. They are the guests of the Honourable Senators Cowan and Fraser.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

THE LATE ADAM HUTT

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, a week ago last Saturday I had the privilege of speaking at the memorial service for Adam Hutt, held in the chapel of Ridley College in St. Catharines. At the time of his death, Adam was a young staffer, fresh out of university, working for me and for Senator Fraser. Highly intelligent and hard-working, he was a joy to have in the office, and he was genuinely excited to work on Parliament Hill, to be a part of Canada's political life and to touch its history.

Adam had a deep respect for the Senate and all those who work here. He quickly grasped the realities, the peculiarities, the challenges and the opportunities of this institution.

One of his primary responsibilities was the promotion and coordination of our "questions from Canadians" initiative. He was passionate about engaging Canadians, and especially younger Canadians, in our work. His enthusiasm, diligence and professionalism helped make that initiative the success it has become. I know that many of my Senate Liberal caucus colleagues received calls from Adam to share with them questions received from Canadians, and his infectious enthusiasm to have those questions raised in the Senate was simply irresistible.

A native of Niagara-on-the-Lake, Adam attended Parliament Oak Public School and then Ridley College before graduating from McGill University in 2013. He had been offered the opportunity to pursue graduate studies at Sciences Po in Paris and at the London School of Economics, but opted to defer that opportunity in order to work here in the Senate.

Adam was young, but he was a leader and a bright young man tremendously full of life, promise and happiness. He was admired and respected by all who knew and worked with him. He was one of those rare individuals who was simply a source of joy and delight to all of us around him.

In October Adam became ill and was admitted to hospital suffering from what was diagnosed to be a rare blood disorder known as HLH. Despite extraordinary care at the Juravinski Hospital in Hamilton and the prayers and support of his family and a legion of friends, he passed away on December 21 at the age of 24.

Our former colleague Senator Dallaire wrote when he first learned of Adam's illness:

Adam, some of us are tested much younger than others. Some of us suffer in a much higher and deeper way than others. But those who find themselves in such difficult and trying circumstances so often are an example of courage, grace and dignity to the rest of us. Adam, you are such a person and I salute you.

I can't express it any better than that.

Ridley College Chapel was filled to overflowing with Adam's friends and family who gave powerful testimonials to Adam's intelligence, his loyalty, his curiosity and his overall zest for life. It was a remarkable gathering and I was honoured to be asked to say a few words on behalf of his Senate family that day. At the service, I also presented to Adam's family a flag which had flown over the Peace Tower on Parliament Hill, a place Adam served and loved so well.

Colleagues, we rise so often in this place to pay tribute to colleagues and to Canadians who have achieved a lifetime of success and accomplishments. Adam's life was tragically cut short before he was able to realize his many plans and dreams, but he was that unusual young man whose spark of life was so powerful it cannot be extinguished. He will live on in his many friends and family members whose lives he left so much the richer.

Today in our gallery we have several of those family members and friends who are among the closest to him, including his mother; his grandmother; and a very close family friend, our former colleague Senator Landon Pearson.

Honourable senators, I ask you to join with me in expressing our support and deepest sympathy to Adam's family and friends for their loss and ours.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, one of the wonderful things about being privileged to work here is that we get to meet so many young people. They tend to be smart, capable, and wonderful young people, but Adam Hutt was in a class of his own. He was, as you will have gathered from what Senator Cowan said, uniquely loved by everyone he ever met, and his loss has left a huge hole in our family.

That sounds very sober. Adam was many things, but he was not sober. Don't take that the wrong way. He brought a zest and enthusiasm and joy to everything he ever did.

When he applied to come to work here, he talked about his appetite for adventure, and he said, in fact, "It is my strong intention to live and learn in a broad and ever-expanding context."

• (1340)

Everybody you talk to who knew Adam has a different memory of him. Some Senator Cowan mentioned today; some he mentioned at the memorial service. One of my staffers said yesterday that she remembers in particular his great skills as a photographer and videographer and also his courage to go where other people might be a little bit nervous about going because maybe it seemed to be too important an event for staffers. Adam would go, and he was right to do so.

My memory of him begins by visualizing him physically coming into the office, leaning slightly forward in enthusiasm to get at whatever we wanted to do that morning or that afternoon. It was almost a physical expression of that zest for adventure that he had mentioned when applying to us.

We were fortunate to have him. He was smart, smart, smart. He could take up anything and run with it. If you wanted research done on anything, it would come back, and it would be wonderful. But above all, I think what mattered most to all of us was his smile and his incredible gift for bringing warmth to a whole room. When Adam walked into a room, the room lit up, and tended to stay lit up, too, because he wasn't faking. That was the wonderful thing. It was real; this incredible enthusiasm and warmth were real.

When I asked my staffers for their memories of Adam, for their comments about Adam, one of them, Céline Ethier, wrote a tribute down. I can't read it all, but I want to read some of it to you. She said:

The moment he came into my office that first day I knew that I would like him and that he would fit in well. . . .

He was interested and interesting. He was kind, considerate, and passionate about everything. . . . He was everything a young man in the prime of his life could ever hope to be.

He had a smile that could light up a room and a laugh that was downright contagious

It is a tragedy not just for those of us who knew him but for all those who would have known him that he died at the age of 24. He would have done wonderful things, but he had done much in his brief life. Céline said:

I know that I am a better person for having known him.

That is true for all of us.

Hon. Yonah Martin (Deputy Leader of the Government): I would like to stand in support, on behalf of honourable senators on this side, to express our deepest sympathy and gratitude to Adam's family for bringing up such a fine young man and to concur with everything you said, Senator Fraser. As the deputy leader, as we met each morning for scroll, I do recall Adam lighting up the room, sitting sort of to my right. On the day we talked about Adam's illness, when I realized that he had been gone for a time, I thought he had actually moved on to bigger and brighter things as he was a man full of potential — and I could see that — a real leader. You shared with me what was happening. I can only imagine how it impacted your caucus and especially you and Senator Jim Cowan, with whom he worked very closely.

I know how dear our staff members are to us. They are like family, and we are all like family in these times. So I just want to express these words of support and respect to the family and to all of you who worked very closely with Adam. I only experienced the light and his warmth as he participated in our meetings. On the day I received the notice of his passing, it definitely affected me, and I wrote to each of you to express my deepest sympathies.

I stand today on behalf of our caucus to express our deepest sentiments at this time and to honour the life of Adam, who was taken from us so soon. Yet, I feel privileged that I was part of a period where I did get to know him, and I welcome his family here today on this very special day.

THE RIGHT HONOURABLE SIR WINSTON CHURCHILL,
K.G., O.M., C.H., T.D., D.L., F.R.S., R.A.

Hon. Michael L. MacDonald: Honourable senators, this past week marked the fiftieth year since the death of one of the most iconic figures of our time and one of my political heroes, Sir Winston Churchill. During the early stages of the Second World War, with Hitler's armies advancing through Europe, and Britain under looming threat of invasion, Churchill was called on to assume the office of the Prime Minister. In May 1940, during his first speech in the House of Commons as Prime Minister, Churchill offered this declaration:

. . . victory, victory at all costs, victory in spite of all terror, victory, however long and hard the road may be; for without victory, there is no survival.

Indeed, victory required Winston Churchill. His speeches would serve as a rallying cry for an empire on the brink of defeat. With the fall of France and the Battle of Britain about to begin, Churchill prepared his people to stand against Hitler. He famously declared:

Let us therefore brace ourselves to our duties, and so bear ourselves that if the British Empire and its Commonwealth last for a thousand years, men will still say, 'This was their Finest Hour.'

Colleagues, Churchill's defiant and resolute character united Britain and the Commonwealth with the realization that victory was their only option. His years as Prime Minister are well known. However, his rise to leadership was the culmination of an incredibly storied career. Graduating from Royal Military Academy Sandhurst, he was commissioned as an officer with the 4th Queen's Own Hussars, leading to service and combat in the Indian Northwest frontier and the Sudan in the late 1890s. By the turn of the century, Churchill had chosen penmanship over soldiering and was sent to South Africa to serve as a correspondent during the Boer War. There, while attached to a scouting expedition, Churchill was captured and became a prisoner of war. Defiant as ever, he managed to escape, returning to London to much recognition. Upon his return, Churchill, turning to politics, won a seat in the House of Commons, where political life suited the young Churchill. His tireless resolve saw him achieve a rapid rise in the political ranks, eventually earning him a seat in cabinet, and by 1911 he became First Lord of the Admiralty, a position of significance given the war. Following the outbreak of hostilities and many difficult months in office, Churchill resigned from the government in 1915 and returned to soldiering. He would serve in France as lieutenant-colonel of the 6th Royal Scots Fusiliers until his return to politics later in the war.

During the 1920s and 1930s, Churchill found himself in and out of office and, by the outbreak of the Second World War, essentially a political outcast.

Then, in May of 1940, Britain called upon his unyielding character to turn the tides of war and lead them against, as he put it:

... a monstrous tyranny, never surpassed in the dark, lamentable catalogue of human crime.

Colleagues, his entire life had essentially been preparation for wartime leadership. Although Churchill said that without victory, there is no survival, I respond that without Churchill, there would be no victory. This week, may we recognize, remember and salute the incredible leader and the iconic figure that was Sir Winston Churchill.

JONATHAN "JON" ROBERT RYAN

Hon. Denise Batters: Honourable senators, it is my distinct pleasure to rise today and celebrate the incredible accomplishments of Jon Ryan, favourite son of Regina,

Saskatchewan. Jon Ryan is a nine-year National Football League veteran and the punter for the NFL's Seattle Seahawks. The Seahawks are defending their title in this Sunday's championship match. We in Regina and in Saskatchewan have not been discussing deflated footballs ad nauseam over the past 10 days. We have been boasting about the amazing exploits of the toast of our town, Jon Ryan.

• (1350)

Jon is a product of Regina's Sheldon-Williams Collegiate and of my alma mater, the University of Regina. Last year, Jon became the first Saskatchewan-born player to win a Super Bowl title.

Now let me set the stage for the thrilling recent events: In the NFC Championship final, things looked very bleak quite late in the game for the Seahawks as they trailed the Green Bay Packers 16-0. Hope was fading fast for the rabid Seattle crowd, but Ryan came to the rescue. On a fake field goal attempt, punter Jon Ryan threw a 19-yard floater to give Seattle their first touchdown of the game. This sparked the Seahawks incredible come-from-way-behind overtime win over the Pack. I thought Jon's mom, Barb Ryan, had the best quote when she was interviewed by Saskatchewan media about that unbelievable comeback win. She said: "... it was the worst game ever and then it was the best game ever."

With that TD toss, Jon Ryan became the first Canadian university, CIS, player ever to throw a touchdown pass in the NFL; and did I mention he's a punter? In fact, Manning, Elway, Montana — the legendary prolific passers of the NFL — could never boast of this amazing statistic: Jon Ryan has a 100 per cent passing completion rate in the NFL. He is now three for three.

Jon has a wonderful family. His dad, Bob, was actually a major Green Bay Packers fan. Prior to his tragic passing several years ago, Bob witnessed Jon realize his dream of making it to the NFL. Bob was also very proud that Jon's first NFL team was his beloved Packers. The whole Ryan family will be beaming with pride in Phoenix on Super Bowl Sunday, including Jon's mom, Barb; his sisters, Jill and Erica; and his brother, Steve. They are such a kind, down-to-earth and humble family — typical Saskatchewanians, I would say.

And, of note in this Parliamentary precinct, Jon Ryan's sister, Jill Scheer, is the wonderful wife of Speaker Andrew Scheer in the other place.

This week, the Seattle Seahawks' 12th Man flag was proudly raised at Regina City Hall to honour Jon. Saskatchewan residents know well what kind of good fortune fantastic fan support can bring, given Rider Nation's legendary status as the heart of the CFL.

Honourable senators, please join me in wishing Jon Ryan, this excellent Canadian football player, the very best of luck as he continues to make his mark south of the border. Go, Seahawks!

[Translation]

ROUTINE PROCEEDINGS

ADJOURNMENT

NOTICE OF MOTION

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, February 3, 2015, at 2 p.m.

QUESTION PERIOD

INTERNATIONAL TRADE

CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT— TRADE DISPUTE RESOLUTION MECHANISMS

Hon. Céline Hervieux-Payette: Honourable senators, I would like to begin by wishing all of my colleagues on both sides of the house a happy new year. I would also like to tell them that I took advantage of the holidays to learn more about issues — particularly economic issues — that are of great interest to me and that make the government leader so happy. I have some questions along the same lines as the ones I asked in 2014.

[English]

This month, the European Commission released a new report analyzing public European opinion with regard to the investor-state dispute-settlement mechanism proposed for the free trade agreement between the U.S. and Europe.

[Translation]

I would imagine that that one made a little more noise than the agreement with Canada.

[English]

This is the same mechanism contained in the Canada-European agreement known as CETA. This report registered tremendous opposition, and I quote:

... the ISDS mechanism is perceived as a threat to democracy and public finance or to public policies.

Following the release of the report, the German Minister of Economic Affairs, Sigmar Gabriel, and the French Secretary of State for Foreign Trade, Matthias Fekl, issued a joint statement calling for the use of “all the options for modifying” the investor-state dispute-settlement mechanism in the agreement with Canada, which means they are not satisfied with that, and this puts a period on the eventual implementation.

Leader, it is evident that the European public and their politicians are demanding changes to CETA, especially on this particular matter. How can we justify Canada maintaining its position that this is the best agreement for both Canadians and Europeans and that no renegotiations on CETA are possible, while the counterparty in Europe is clearly calling for renegotiation of this particular aspect that touches every human being on both continents?

[Translation]

Hon. Claude Carignan (Leader of the Government): Thank you for your question, senator.

As you know, dispute settlement through international arbitration in free trade agreements does not restrict any level of government from legislating in the best interest of its country. Canadian and foreign investors are bound by the same Canadian laws and regulations with respect to environmental, labour, health, building and safety standards. Nothing in any of Canada’s free trade agreements exempts foreign service providers from Canadian laws and regulations.

As you know, thanks to provisions like dispute settlement mechanisms, Canadian businesses are protected from any government measures that might be arbitrary or discriminatory, and in the event of any disputes, Canadian businesses will have access to dispute settlement processes, like any other business, by an independent and impartial third party. Investor-state dispute settlement has been a key part of Canada’s policy for over a generation, ever since the historic Canada-U.S. Free-trade Agreement and NAFTA were signed. This agreement reflects the common position shared by the European states and Canada.

Senator Hervieux-Payette: Leader, you must know that despite what Canada learned from its experience with NAFTA, it has been amply demonstrated that it has had to pay compensation to people who are independent of governments, which, in turn, are spending taxpayers’ money to deal with unacceptable situations, since these provisions do effectively limit their authority to legislate and our authority to regulate.

Here, then, is what the European Commission came back with and the changes it is requesting, and I quote:

[English]

With regard to the investor-state dispute-settlement mechanism, this consultation contends that improvements are needed in the following four areas: first, “the protection of the right to regulate”; second, “the establishment and functioning of arbitral tribunals.”

[Translation]

You just talked about independent tribunals, but these are actually private tribunals that people choose, and they are nothing like the Canadian judiciary.

[English]

The other two areas are the relationship between the domestic judicial system and the investor-state dispute-settlement mechanism system, and the review of investor-state dispute-settlement system decisions through an appellate mechanism.

[Translation]

Any and every decision handed down by a Canadian lower court or a court of appeal can be reviewed and go as far as the Supreme Court, whereas, in this case, we are talking about hundreds of millions, if not billions, of dollars, and there will be no mechanism for reviewing the decisions handed down by this independent tribunal.

• (1400)

In four areas, explain to me why the Conservative government does not think it is necessary to sit down at the negotiating table with the Europeans to address this aspect, since they are currently not ready. They are looking at every option to change this mechanism in the context of their relations with the Americans. I can't see why we would not do the same.

Senator Carignan: As you know, the free trade agreement with Europe has tremendous benefits for Canadians. This trade agreement with Europe will provide significant benefits for the long term. Stakeholders from every region of Canada and every sector of the economy have been very receptive to this free trade agreement. We have every intention of ratifying the free trade agreement with the European Union since it is in our power to do so.

I want to remind you that Minister Fast recently travelled to Europe, where he heard a lot of good things about the agreement. German Chancellor Angela Merkel also spoke favourably about the agreement, while the German ambassador to Canada said that Germany would fully support the agreement.

Trade missions from the European Union are keen to do business with Canada. This agreement is good for Canada and good for the European Union. Honourable senators, I hope you will support it.

Senator Hervieux-Payette: We could spend more time thinking about the longer term. A similar free trade agreement was concluded between Australia and the United States. During the negotiations with Australia, a country with 22 million inhabitants

— while the United States has 300 million — the Australians said no to the investor-state dispute mechanism. Despite this refusal, they still managed to conclude a free trade agreement.

Therefore, I do not see why Canada's parliamentarians would not have the courage to stand up and say that we want to fully retain our right to legislate and regulate and, above all, to protect Canadian taxpayers' money. When a penalty is imposed under a law or regulation, it is the government that pays. These decisions are made by people who have never been elected and who act in the strictly private interest of these corporations.

Leader, tell me why Canada could not sit down with the Europeans and amend this clause. I believe that the French and German representatives would come back to the table and would be very pleased because they would probably obtain what the Australians obtained. I do not see why Canada would not ask for the same thing.

Senator Carignan: I understand what you are saying. As I said, the investor-state dispute settlement mechanism has been a key element of Canada's policy for more than a generation. On both sides, people from all areas and economic sectors applauded the agreement reached by Canada and the European Union. We are very enthusiastic about the idea of ratifying it as soon as possible.

Senator Hervieux-Payette: Perhaps you are presenting arguments intended for your colleagues. Everyone knows that regulations and legislation are generally used to improve a situation. As for our powerful neighbours, you have heard about their approach, which is harmonization. Quite often, their regulations have a narrower scope than ours. These regulations would make it impossible for us, in future, to introduce improvements, whether in the food industry, the auto sector or any technical areas. We will have to comply with the regulations if we do not want to foot the bill.

This limits our powers as parliamentarians, but especially as representatives of Canadians. We will have to take the compensation money out of Canadians' pockets.

I'm simply asking you to consider this issue and to suggest that your colleague, Minister Fast, sit down with his European counterparts to help conclude this agreement. We talk about it a lot, but it has yet to be ratified. You may be compromising its ratification if we don't sit down with them in good faith right now.

Senator Carignan: Minister Fast recently went to Europe, where he heard a lot of good things about the agreement. The German Chancellor also spoke in favour of the agreement. Germany's ambassador to Canada said that Germany was, and I quote, "very supportive to this agreement." Trade missions on both sides are very keen to do business in Canada, and Canadian missions are very enthusiastic about doing business in Europe. We want to get this agreement ratified as soon as possible.

[Senator Hervieux-Payette]

[English]

• (1410)

[Translation]

ORDERS OF THE DAY

ECONOMIC ACTION PLAN 2014 BILL, NO. 2

EIGHTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE; SIXTH REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE; EIGHTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE; EIGHTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE; AND EIGHTH REPORT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE COMMITTEE ON SUBJECT MATTER—ORDERS WITHDRAWN

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I ask for leave of the Senate to withdraw items numbered 1, 2, 3, 4 and 6 under the headings “Government Business—Reports of Committees—Other” as they are directly related to Bill C-43, which received Royal Assent on December 16, 2014.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

(Orders withdrawn.)

BREAST DENSITY AWARENESS BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Martin, seconded by the Honourable Senator Marshall, for the second reading of Bill C-314, An Act respecting the awareness of screening among women with dense breast tissue.

Hon. Nicole Eaton: Honourable senators, I’m not prepared to speak to this bill at this time. I’m very sorry about that, but I would move the adjournment for the balance of my time.

(On motion of Senator Eaton, debate adjourned.)

STUDY ON THE IMPACTS OF RECENT CHANGES TO THE IMMIGRATION SYSTEM ON OFFICIAL LANGUAGE MINORITY COMMUNITIES

FOURTH REPORT OF OFFICIAL LANGUAGES COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Tardif, seconded by the Honourable Senator Fraser:

That the fourth report of the Standing Senate Committee on Official Languages, entitled *Seizing the Opportunity: The role of communities in a constantly changing immigration system*, tabled in the Senate on Tuesday, December 2, 2014, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Citizenship and Immigration being identified as the minister responsible for responding to the report.

Hon. Suzanne Fortin-Duplessis: Honourable senators, I join my colleague, Senator Tardif, in congratulating and thanking the members of the Official Languages Committee — Senators Chaput, Charette-Poulin, Maltais, McIntyre and Poirier — as well as our analyst, Marie-Ève Hudon, and our clerk, Daniel Charbonneau. Thank you to all of the witnesses who came to share their comments and concerns and tell us what measures were working in terms of meeting the needs of newcomers and helping them integrate.

After holding some 15 meetings and hearing from 44 witnesses, we are now in a position to provide a good overview of the impact that the most recent reforms to the immigration system will have on official language minority communities.

Since my honourable colleague already spoke about the content of this report on December 4, 2014, I will be brief and raise only a few points that are of particular interest to me.

One of the major findings pertains to economic immigration and the predominant role that the new Express Entry system gives to employers. We knew from the outset that there would be significant challenges associated with the recognition of foreign credentials. Too often, immigrants who are highly qualified in specialized fields, such as medicine and law, are forced to accept low-paying jobs that are well below their skill level. That is likely to get worse with the coming into force of the new Express Entry system, under which employers will be instrumental in the recruitment of newcomers. This is a complex issue and, given that professional associations are often the ones responsible for

evaluating foreign credentials, it is all the more important that the federal government establish a concerted strategy. It must work in cooperation with all of the partners and official language minority communities in order to stimulate growth through immigration and ensure that francophone immigrants can register in the pool of qualified candidates without any hindrances related to the recognition of their foreign credentials. It is also important that the government implement recruitment measures targeting francophone countries.

We know that to help people get jobs, we need to connect employers and newcomers seeking work. That is why I would like to draw your attention to Destination Canada, a government-sponsored jobs forum for francophone foreign workers that received positive feedback from most of the witnesses.

One of the jobs creation strategies that minority communities are using involves raising employers' awareness of the economic and cultural advantages of hiring newcomers and of how they can contribute to the vitality of their communities. One researcher who appeared before our committee had this to say:

When we put the economic argument to employers, describing multiplier effects and the impact of immigration in general and of francophone immigration in particular, we are able to develop arguments that get through to employers because that family of three or four that arrives in the community generates economic activity. The family buys a house, the children go to school, and they all use public and private services and generate a broader economic activity.

It is up to communities to develop strategies to attract immigrants and to work with municipalities and employers in the region to ensure that newcomers have access to jobs. One of the two researchers who published the study in 2013 had this to say:

... it is becoming clear that immigration is a community affair. All the higher-level governments can do is establish the general frameworks and selection mechanism, but immigrant recruitment, reception and retention are done at the local level.

I'm also very interested in the importance of learning the official languages.

It is essential for someone to be proficient in at least one official language in order to get a job and integrate into society. One of the recent changes made by the government was to strengthen the selection criteria with respect to immigrants' language skills. They must now have adequate knowledge of one of Canada's two official languages. This change means that once they arrive on Canadian soil, they are starting off better prepared to search for work and to actively participate in social life in Canada, which is essential to the integration of newcomers.

Another positive element that I would like to mention is the arrival of international students, who represent a potential source of renewal for francophone and Acadian communities. The

federal government's recent strategy aims to double the number of international students by 2022. This strategy can target students from francophone countries, and many expect that more international students will use this Canadian experience category as a path to permanent residence. Therefore it will be important for all stakeholders to develop mechanisms to help retain and integrate these foreign students.

In closing, I'm proud to have participated in this study with my colleagues. This informative study helped us understand how the recent changes to the immigration system affect official language minority communities. We heard about their realities, we looked at what can be improved, and we took note of the success of the positive measures that have been implemented. That is why, esteemed colleagues, I urge you to adopt this excellent report.

Thank you very much.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

• (1420)

[English]

ARMISTICE OF MUDANYA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools, calling the attention of the Senate to November 11, known to all as Remembrance Day, of this, the centennial year of the July 28 start of hostilities in the 1914-1918 Great War, which day is given to the national and collective mourning of Canadians, on which we remember and honour the many who served and who fell in the service of God, King and Country, and, whose incalculable sacrifice of their lives, we honour in our simultaneous yet individual, personal acts of prayer and remembrance, wherein we pause and bow our heads together in sacred unity, at the eleventh hour, of the eleventh day, of the eleventh month, for the many who gave themselves, and:

To two exceptional soldiers and human beings, who fought on opposite sides of the Great War, both of whom, were distinguished generals and accomplished military men, being General Charles Harington, the British Commander in Chief of the Allied occupation army in Constantinople, and the Turkish General, Mustafa Kemal, the Commander

of the Turkish peoples' brave national resistance to the *Sèvres Treaty's* detachment and partition of the Turkish peoples' lands, to give these lands to some of the Allies who so desired them, and, to these two Commanders' respective troops, assembled, battle ready, and awaiting orders for the start of hostilities in October 1922, at Chanak in the Dardanelles, and, to fate, which joined these two commanders there, and, to their determination to avoid unnecessary bloodshed, and, to their remarkable contribution to British, Turkish and world peace, and, to their will to not spend their soldiers' lives in folly, and, to reach the honourable, the just and the true, by their negotiated armistice, agreed and signed on, October 11, 1922 as the *Armistice of Mudanya*, and, to Canadian born, Andrew Bonar Law who became Prime Minister of Britain on October 23, 1922, and who served for seven months, and who passed away on October 30, 1923, and, to his great commitment to the British-Turkish peace in what the British, the Dominions and Canadians called the *Chanak Crisis* or the *Chanak Affair*.

Hon. Yonah Martin (Deputy Leader of the Government): I move the adjournment of this debate.

(On motion of Senator Martin, debate adjourned.)

CHANAK CRISIS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Cools, calling the attention of the Senate to November 11, known to all as Remembrance Day, of this, the centennial year of the July 28 start of hostilities in the 1914-1918 Great War, which day is given to the national and collective mourning of Canadians, on which we remember and honour the many who served and who fell in the service of God, King and Country, and, whose incalculable sacrifice of their lives, we honour in our simultaneous yet individual, personal acts of prayer and remembrance, wherein we pause and bow our heads together in sacred unity, at the eleventh hour, of the eleventh day, of the eleventh month, for the many who gave themselves, and:

To the unique political events, just four years after the Great War, known as the 1922 *Chanak Crisis*, or *Chanak Affair*, in which Canadian and British politics met in Canada's firm stand for its constitutional autonomy in its foreign affairs, war and peace, and, to Canada's Prime Minister, the Liberal, Mackenzie King's nationally supported refusal to yield to British Prime Minister David Lloyd George and his Colonial Secretary Winston Churchill's persistent demands for Canadian troops to fight a new war at Chanak, now Çanakkale, the tiny Turkish Dardanelles seaport, and, to this new war, wholly unwanted by Canadians and the British, still war-weary, and still mourning their fallen sons, and, to this

looming war, the inexorable result of Prime Minister Lloyd George's unjust, inoperative and stillborn *Sèvres Treaty*, the peace treaty that began with war, and, its humiliating peace terms which would put the Turkish peoples out of their ancient lands in Eastern Thrace and Anatolia, and, to their successful nationalist resistance to this injustice, and, to Canada's role in the lasting peace that avoided this unnecessary and unwanted Chanak war, and, to British politics by which a single vote of the Conservative Caucus prompted the very necessary resignation of Prime Minister Lloyd George and his Liberal Coalition Government, and, to the ascendancy of Canadian born British Prime Minister, Bonar Law, who himself had lost two sons to the Great War, and who was then the most respected man in Great Britain, and, to his Near East policy of peace.

Hon. Yonah Martin (Deputy Leader of the Government): I move the adjournment of this debate.

(On motion of Senator Martin, debate adjourned.)

TRINITY WESTERN UNIVERSITY

INQUIRY—DEBATE ADJOURNED

Hon. Donald Neil Plett rose pursuant to notice of December 11, 2014:

That he will call the attention of the Senate to the decisions made by certain provinces' law societies to deny accreditation to Trinity Western University's proposed new law school.

He said: Honourable senators, I am pleased to have the opportunity to rise today to shed light on an important issue. Trinity Western University is a Christian liberal arts university in Langley, British Columbia.

The university has proposed to begin a law program following the same curriculum as all other law schools in Canada. Several provincial law societies have held votes about whether to accredit any future graduates of the law school. The reason the accreditation has been called into question is because Trinity Western University's students have to sign a covenant agreement, or code of conduct, upon enrolment.

The code of conduct bars sexual intimacy other than that within a marriage between a man and a woman. The school does not prohibit gay students or even non-Christians from enrolling, and the rule in question extends to unmarried heterosexual couples as well.

Some law societies, however, believe that this discriminates against gay students, and both Ontario and Nova Scotia's law societies have voted to pre-emptively reject any future graduates. Alberta and Saskatchewan have approved accreditation, while Manitoba has put its decision on hold. British Columbia had initially approved accreditation but later reversed its decision.

Honourable colleagues, while I was sitting here I got an email, and it says that today the Supreme Court of Nova Scotia declared that the province's ban on Trinity Western University's law grads is illegal.

Some Hon. Senators: Hear, hear.

Senator Plett: Since I gave notice of this motion back in December, British Columbia's Minister of Advanced Education, Amrik Virk, revoked his approval of Trinity Western University's law school, meaning that no students will be able to enrol in the program.

This is not the first time the school has been challenged for its values. In 2001, the British Columbia College of Teachers was trying to deny accreditation of Trinity Western's teachers' college because of this very covenant agreement. The Supreme Court ruled in favour of Trinity Western in an eight-to-one decision stating, "For better or for worse, tolerance of divergent beliefs is a hallmark of a democratic society."

Colleagues, you cannot get a clearer legal precedent than this ruling. One of the most compelling explanations for voting in favour of Trinity Western was from Tony Wilson, an atheist bencher of the Law Society of British Columbia who voted in favour of accrediting the law school, out of respect for the rule of law, stating that we cannot "cherry pick the laws we like from the ones we don't."

Freedom of religion is a fundamental right in our democratic state, and a right that most Canadians value. However, freedom of religion is not being applied evenly and fairly throughout Canadian society — not even major mainstream religions.

It appears we are now at a place where it is popular to criticize Christians and mock their beliefs and values while most other prominent religions, carrying a similar set of values, are celebrated for their differences and their contribution to a diverse society. I cannot help but think that if the school were Buddhist, Jewish, Islamic or any other non-Christian religion, their code of conduct would not be an issue.

Some who voted against the university have suggested that one cannot properly teach ethics at a faith-based institution. Does this mean that lawyers of faith are not qualified to teach ethics at non-Christian universities because of their beliefs?

Other critics have suggested that the school would create intolerant lawyers who would discriminate against gays and lesbians, despite no difference in the school's curriculum. Are the 69 per cent of Canadians who identify as Christian also unfit to practise law in Canada?

Perhaps a stronger argument would be that the ethical standards of atheists or lawyers with no religious affiliation do not align with those of the majority of Canadians. Such discrimination would be laughed at in today's society, and rightfully so.

What about the students who have graduated from Trinity Western as undergrads and attended other law schools? Have they, too, been so tainted by Christian orthodoxy that they are unfit to practise law? Some of our practising lawyers in Canada have graduated from faith-based law schools in the United States. Should we now strip them of their licences?

One lawyer wrote to me explaining that should this law school be accredited there would be fewer spaces open to homosexual applicants than to heterosexual applicants in Canada, putting homosexual students at a disadvantage. However, this is simply not the case.

The school does not discriminate against any applicant, regardless of religion or sexual orientation. Ironically, these critics fail to mention that the rule would certainly affect more heterosexual couples than homosexual couples. To link LGBT rights is unfounded.

Trinity Western simply has students sign a code of conduct which aligns with their principles. Most Canadian universities have a code of conduct prohibiting and discouraging certain behaviours. If you do not subscribe to the same values as that university, you have the free choice not to enrol in that school.

We have seen the social bias against Christians have a real social impact, and sadly now we are seeing legal and financial implications as well.

The Bank of Montreal wrote a letter to the Federation of Law Societies of Canada that encouraged benchers to vote against accrediting future law graduates of Trinity Western because of their belief that this discriminates against homosexual students. The letter cites the core values of Canadians as support for their position. I am not sure what makes BMO, a financial institution, the authority on the core values of Canadians.

I do know that Canadians value the Canadian Charter of Rights and Freedoms, which codifies freedom of religion.

In October the bank sent an email to its legal supplier stating:

BMO requires the law firms with whom we do business to disclose the diversity statistics of their associates, partners and management committee as part of our External Counsel Selection Program.

BMO goes on to say:

The bank is starting with legal suppliers and going from there. If their standards are not compatible with the bank, they will be dropped. Beyond that, the bank is intent on its employees reflecting its "inclusiveness" as not just tolerating others but "reflecting" the values of the clients.

• (1430)

In an interview with *Canadian Lawyer* magazine, BMO's vice-president, Simon Fish, threatened that:

— in the future, metrics will influence who the legal group chooses to do business with.

BMO has established a group called Legal Leaders for Diversity, or LLD, including 72 other corporations, such as Sobeys, RBC and Home Depot, just to name a few. These corporations acted as signatories to this letter, citing the promotion of diversity and inclusion as support for their position. Again, the principles of diversity and inclusion come with limitations; specifically, they stop at Christianity.

Socio-political commentator and host of HBO's "Real Time," Bill Maher, recently acknowledged publicly on his show, as someone who identifies as Liberal, that the left is quick to criticize White theocracy, mainly Christianity, but will not be critical of other religions, even in the most heinous of circumstances.

In May we saw the city of Nanaimo council make a decision to ban a leadership event because the CEO of one of the supporting companies of the event has publicly supported the traditional definition of marriage and donates to organizations that promote traditional family values. The event itself had nothing to do with these issues. However, because one of the sponsor's views on an unrelated topic did not align with the majority of city council members, a motion was introduced and passed to not allow Nanaimo residents to view the material at their own publicly funded facilities. In the debates, they ridiculed this man as having "very strong unbelievable Christian beliefs," one adding that the viewpoint was "almost criminal" in this day and age.

I recently received a letter from a Canadian professor criticizing me for my position on a bill that we are currently studying in the Senate. The letter did not comment on the validity of my arguments but, rather, pointed out the "baggage," as she called it, that I carry, making me ignorant, uninformed and unenlightened. The letter states:

You, sir, are a highly assimilated, unilingual, unhyphenated, Canadian born and bred.

She continued in capital letters:

WHITE, ANGLO-SAXON CHRISTIAN MALE.

This is a professor. These terms, in and of themselves, were to be taken as insults and weaknesses, and I suppose the terms in caps represent the most offensive aspects of my being.

I could not help but think if any single one of these terms were to be swapped out for another variable this would be deemed bigoted and intolerant. These comments clearly identified for me in specific terms which groups in Canadian society the elites have deemed appropriate to prejudice and discriminate against, namely: males, unilingual anglophones, non-immigrants, Caucasians and, of course, Christians.

Colleagues, freedom of religion is not being interpreted or applied equally. Since the horrific terrorist attack on the employees at the *Charlie Hebdo* publication in Paris, important discussions around intolerance, hate speech, hate crimes, the relevance of blasphemy legislation, freedom of religion and freedom of association have been taking place in most democratic states around the world.

The hashtag "#JesuisCharlie" went viral on Twitter to show support and to advocate for freedom of expression, freedom of speech and freedom of the press. Many prominent Canadians, including Canadian journalists, tweeted with this hashtag, some even changing their Twitter profile pictures to "Je suis Charlie," or "We are Charlie."

After such tragedy, it is not surprising to see this type of apparent solidarity emerge, but it raises the question: Why are so many willing to support absolute freedom of expression abroad but not in our own country? Why are so many speakers banned from speaking at universities for such bogus reasons from administration as their views do not align with the university's core values?

As Rex Murphy stated in a very poignant article following the "Je suis Charlie" Twitter:

Labelling speech some people simply do not wish to hear as "hate speech" succeeds in silencing it. In matters big and small, on issues from global warming to abortion, there is collusion — we call it political correctness — over what should not be said, what cannot be said.

He continues:

It's worth adding too that there is no such fastidiousness when it comes to images rebuking, mocking, insulting or demeaning any of the symbols — the cross, the host, the mass — of the Christian faith. The North American media and so-called comedy shows make a tiresome habit of slandering or crudely defaming the majority faith of the North American continent, all the while lying — yes lying — that they are equal opportunity offenders.

Journalists and media corporations, including our very own publicly funded CBC, admitted to struggling with whether or not to publish the *Charlie Hebdo* cartoon that poked fun at Islam and allegedly spurred the terrorist attack.

Could I have a few more minutes, Speaker?

The Hon. the Speaker: Is five more minutes granted to Senator Plett?

Hon. Senators: Agreed.

Senator Plett: CBC's David Studer, the director of journalistic standards and practices, said that the CBC decided to not show the *Charlie Hebdo* images of the Prophet Muhammad because "it is offensive to people in a mainstream, major religion."

The CBC made the decision, however, to graphically display the *Charlie Hebdo* cartoon depicting a condom as the Holy Eucharist and on a separate occasion displayed the image of a crucifix in a jar of urine. Again, the major mainstream religion that the CBC is referring to makes up 3 per cent of our population, while the religion dismissed here makes up 69 per cent of our population.

Colleagues, if we want to stand up for freedom of speech, we need to stand up for freedom of all speech; and if we want to defend freedom of religion, we need to defend freedom of all religion, including Christianity.

Whether or not it is popular or politically correct to be Christian in 2015, Trinity Western University is still protected by the right to freedom of religion, as well as the precedent of an explicitly clear ruling from the Supreme Court on a nearly identical case, which needs to be respected.

I was tremendously disappointed by the British Columbia's advanced education minister that he did not have the backbone to stand up for freedom of religion, giving in to the pressure from the discriminatory law society benchers. It is my sincere hope that Trinity Western will take this to the Supreme Court so the court can once again rule against discrimination and in favour of democracy.

• (1440)

Hon. Serge Joyal: Would the honourable senator take a question?

Senator Plett: Certainly.

Senator Joyal: I heard in your concluding remarks that Trinity Western University would consider taking the issue to court. Have they already started the procedure, or are they just contemplating a court initiative?

Senator Plett: Senator, I cannot officially speak on behalf of Trinity Western, but when I spoke to them on the telephone, they assured me that they were planning to fight this as far as they could fight it. Clearly, they are waiting for rulings such as the one

from the court in Nova Scotia that has just ruled now and, I suppose, to see if the Ontario courts will do the same thing, but I cannot officially speak on their behalf.

Senator Joyal: Could you explain to us the substance of the court ruling in Nova Scotia, if you are aware? It's not a law exam. I'm trying to understand, and I think the honourable senators understand the overall question. I would like to try to understand the legal parameters into which the Nova Scotia court has been defining the parameters to recognize that this is a case involving freedom of religion, protected under section 2 of the Charter of Rights and Freedoms of Canada.

Senator Plett: Again, senator, I don't have the legal mind that you do, very clearly. As I said, when I was preparing my notes even an hour ago or an hour and a half ago, I did not know about this ruling.

As I was sitting here in my seat, I got an email from a journalist who has been very active on this file in fighting this as far as he can and he, of course, has sent an email. The heading of the email simply says "for Canada." But all I can say, senator, is what I have here:

I wanted to write to you immediately: today, the Supreme Court of Nova Scotia declared that province's ban on Trinity Western University law school grads is illegal!

It goes on:

You can read the entire 138-page court decision for yourself, right here.

I haven't had the time to click on "right here." I certainly plan on doing that, but that is all I have at this point.

(On motion of Senator Doyle, debate adjourned.)

(The Senate adjourned until Thursday, January 29, 2015 at 1:30 p.m.)

CONTENTS

Wednesday, January 28, 2015

PAGE

PAGE

SENATORS' STATEMENTS

Visitors in the Gallery

The Hon. the Speaker 2832

The Late Adam Hutt

Hon. James S. Cowan 2832

Hon. Joan Fraser 2833

Hon. Yonah Martin 2833

The Right Honourable Sir Winston Churchill, K.G., O.M., C.H., T.D., D.L., F.R.S., R. A.

Hon. Michael L. MacDonald 2833

Jonathan "Jon" Robert Ryan

Hon. Denise Batters 2834

ROUTINE PROCEEDINGS

Adjournment

Notice of Motion.

Hon. Yonah Martin 2835

QUESTION PERIOD

International Trade

Canada-European Union Comprehensive Economic
and Trade Agreement—Trade Dispute Resolution
Mechanisms.

Hon. Céline Hervieux-Payette 2835

Hon. Claude Carignan 2835

ORDERS OF THE DAY

Economic Action Plan 2014 Bill, No. 2 (Bill C-43)

Eighth Report of Energy, the Environment and
Natural Resources Committee; Sixth Report of
Banking, Trade and Commerce Committee; Eighth
Report of Transport and Communications Committee;
Eighteenth Report of Legal and Constitutional
Affairs Committee; and Eighth Report of Foreign
Affairs and International Trade Committee on Subject
Matter—Orders Withdrawn.

Hon. Yonah Martin 2837

Breast Density Awareness Bill (Bill C-314)

Second Reading—Debate Continued.

Hon. Nicole Eaton 2837

Study on the Impacts of Recent Changes to the Immigration System on Official Language Minority Communities

Fourth Report of Official Languages Committee and
Request for Government Response Adopted.

Hon. Suzanne Fortin-Duplessis 2837

Armistice of Mudanya

Inquiry—Debate Continued.

Hon. Yonah Martin 2839

Chanak Crisis

Inquiry—Debate Continued.

Hon. Yonah Martin 2839

Trinity Western University

Inquiry—Debate Adjourned.

Hon. Donald Neil Plett 2839

Hon. Serge Joyal 2842

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