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(HANSARD)

Thursday, February 19, 2015

The Honourable PIERRE CLAUDE NOLIN
Speaker

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THE SENATE

Thursday, February 19, 2015

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

Prayers.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of members from the Korean War Veterans Association of Ottawa, Unit 7. They are Claude Charland, Walter Conrad, George Guertin, Phil Lepage, Jim Gunn, Gérard Poirier, Jean Paul St Aubin and Peter Wilkins. They are the guests of the Honourable Senator Martin.

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

Hon. Senators: Hear, hear!

SENATORS' STATEMENTS

ANNIVERSARY OF EUROMAIDAN SHOOTINGS

Hon. A. Raynell Andreychuk: Honourable senators, I rise to commemorate the anniversary of the mass shooting of protesters during the Euromaidan uprising in Ukraine.

Between February 18 and 20, 2014, special forces under the command of President Yanukovich opened fire on unarmed protesters in Kiev. More than 100 protesters had lost their lives by the time the guns fell silent.

The killings marked a turning point, not only in the Euromaidan uprising, but in the modern history of Ukraine.

By February 21, President Yanukovich had fled the country. His government, devoid of any remaining legitimacy, collapsed. Political parties and protest leaders scrambled to restore Ukraine to a path of accountable government and democracy, but another conflict had just been unleashed.

Within days, pro-Russian separatists fanned out across the Crimean Peninsula. Within a month, Crimea had been illegally annexed to the Russian Federation. Tens of thousands of Russian troops had amassed along the Ukrainian border. Hundreds of unmarked soldiers, the so-called "little green men," had entered Ukraine, and the term "hybrid war" gained modern interpretation. Armed separatist groups set out to gain control over the Luhansk and Donetsk regions.

In the months that followed, the majority of Ukrainians came together to elect a new president and a new parliament, and to begin to rebuild their country and the institutions of statehood. But in the east, the violence continued. Defying international laws and norms, the Kremlin repeatedly flouted Russia's international commitments. Using propaganda and disinformation, the Kremlin continues to paint itself as a defender of the rights of ethnic Russians. This is against all evidence.

Thousands of Russian soldiers, rubles and military equipment continue to fuel the conflict. Crimean Tatars continue to be persecuted, detained and sent into exile. More than 5,500 people have been killed, some 11,000 have been injured, and 1.2 million displaced. These figures do not even include the suspected thousands of Russians killed in combat, or an untold number of Russians repressed for daring to speak out or those suffering economic devastation as their government pursues a path of deepening international isolation.

As this unnecessary crisis continues, let us pause to remember those who died one year ago on the Maidan. Let us honour the memory of those who sacrificed their lives in hopes for a better future for their country and their region. Let us commit to supporting their vision of a future Ukraine that is sovereign, peaceful, rights-respecting, democratic and free.

ABILITIES CENTRE

Hon. Jim Munson: Honourable senators, each of us has our own hopes and goals for ourselves, for our loved ones and for the world at large. Canadians living with physical, intellectual and mental disabilities are, of course, no different. What they dream of and aspire to is as individual as they are, with one exception — the desire for inclusion.

Last month I had the privilege to visit an incredible complex in Whitby, Ontario, called the Abilities Centre. It has been open since June 2012. It is essentially a sports, arts and social community founded on a mission of inclusion. Throughout my tour of this 125,000 square foot state-of-the-art complex, everywhere I looked I saw features to ensure accessibility to its facilities and programs.

• (1340)

"Invest in what matters" is the motivating slogan for the centre's fundraising activities, and all levels of government and some generous businesses and individuals have responded enthusiastically. An enterprise like the Abilities Centre requires considerable funding and community involvement to become a reality, but its purpose and the positive changes it can bring to the lives of countless people and to society are invaluable. The Abilities Centre guarantees an enormous and lasting return on any investment.

The late Honourable Jim Flaherty and his wife planted the seed that sprouted to become this life-changing answer for people to live fully and well. Raising and loving their son, who has an intellectual disability, they gained insight that shaped their vision for the Abilities Centre.

The centre has well over 3,000 members, and it has awarded more than 70 memberships to individuals and families in need. Clearly, there is a significant demand for a place like this. I applaud the late Jim Flaherty and his wife for this. It's just an amazing site. If you're in Whitby, please go visit it.

Ottawa and other cities in this country should have a complex like the Abilities Centre, too, and I'm proud to be part of a planning group to make this happen.

Honourable senators, let's bury our party lines and work together to give Canadians with disabilities what they need, to include them in a community where they can progress towards their dreams and goals. Today. Tomorrow. Any time is a great time to get involved and lend your support.

One day, and one day soon, when this city's version of the Abilities Centre is established and in operation, maybe enhancing what was once an underused area like LeBreton Flats, you will realize that you heard it first here in the Senate.

LUNAR NEW YEAR

Hon. Victor Oh: Honourable senators, I am pleased to rise today to bring greetings to all those who celebrate the Lunar New Year, also known as the Spring Festival.

For people of Asian heritage living in Canada, including those of Chinese, Korean and Vietnamese descent, today is the first day of the Year of the Sheep or, as some would call it, the Year of the Ram or the Goat. The proper term of the zodiac sign has been debated for years. However, in the Chinese language, we only have one word for the sheep or ram or goat, and it's called "yang." The word signifies warmth and creativity. In our greetings, we would insert the zodiac sign of the year, such as "Xi Qi Yang Yang." It is a blessing to others for happiness.

The New Year is a time to gather with family and friends. It is a time to celebrate past achievements and to look to the future with hope and optimism. Beyond the lion dances, lanterns and fireworks, the New Year is about family. Many immigrants, like myself, have relatives living on both sides of the Pacific Ocean. Near or far, we observe this occasion by spending time with loved ones and honouring those who have come before us.

As a proud senator of Chinese descent, I am also honoured to be invited to events across Canada in celebration of the New Year.

Honourable colleagues, I wish to thank all the event organizers and volunteers who have worked tirelessly to share their traditions and customs with fellow Canadians. Multiculturalism

is at the heart of what makes Canada the greatest country in the world. We value diversity and openness, and we are grateful for the freedoms we enjoy to celebrate this festive occasion.

In closing, I would like to once again wish you and your family a healthy, happy and prosperous Year of the Sheep. Thank you.

AMANDA WILNEFF

ANDREA AND CHARLES R. BRONFMAN AWARD IN CANADIAN STUDIES RECIPIENT

Hon. Jane Cordy: Honourable senators, on Tuesday of this week I had the pleasure of meeting with a young student from Mount Saint Vincent University by the name of Amanda Wilneff.

Amanda is in Ottawa this week visiting Parliament and meeting with parliamentarians because she is this year's recipient of the Andrea and Charles R. Bronfman Award in Canadian Studies. It is an award designed to promote Canadian understanding by providing the recipients with the opportunity to realize physically and academically an exposure to a wider experience and knowledge of Canadian life and then to share that knowledge with others.

Amanda is a dedicated student and has achieved a great deal in her academic life so far. In addition to the Bronfman scholarship, she has also received the Mount Saint Vincent University Presidential Scholarship each year since 2011. She has received First Class Honours and has been named to the Dean's list. Last year, she was the recipient of the Marial Mosher Canadian Studies Scholarship. She has, for the past two years, been the president of her school's Political Science and Economics Society. In addition, for the last academic year, Amanda acted as Speaker of the Student Representative Council for the Mount Saint Vincent University Student Union.

Her interests vary and include international politics, Canadian foreign policy and immigration, minority groups, multiculturalism, cultural awareness and intercultural communication. She has completed a summer internship with the Multicultural Association of Nova Scotia, which allowed her to help coordinate events such as the Multicultural Community Conversations Forum held in Halifax.

Honourable senators, when I met with Amanda, she showed a great knowledge and a keen interest in our institution and the direction that Parliament and, particularly, the Senate may take in the future. It was a fascinating discussion with a young woman who was knowledgeable about the Senate and Parliament overall. I am confident, when we continue to see young people as engaged as Amanda Wilneff, that our country is indeed in good hands and we are on track for great things for the next generation. It was indeed a pleasure to have met Amanda, and I wish her the very best in her future endeavours.

THE LATE MARIE WARDER

Hon. David M. Wells: Honourable senators, I rise today to pay tribute to Marie Warder and to bring awareness to a common genetic disorder that remains relatively unknown:

hemochromatosis. It is a genetic disorder where there is excessive and potentially toxic accumulation of dietary iron in the body. This iron overload can be fatal. I know this all too well because I, too, suffer from this condition.

Marie Warder founded the Canadian Hemochromatosis Society in British Columbia 35 years ago. The Canadian Hemochromatosis Society is her legacy. In 1992, hemochromatosis took the life of Marie's husband Tom. Tom suffered from liver disease resulting from hemochromatosis and, sadly, Canada lost Marie Warder this past October.

Hemochromatosis is Canada's most common genetic disorder. Those with hemochromatosis are genetically unable to metabolize iron absorbed from their diet. Men and women are equally affected. Harmful iron overload occurs in joints, the liver, pancreas, heart, brain and endocrine glands. Left unrecognized and undiagnosed, the consequences of too much iron can be prolonged, severe and fatal.

One in 300 Canadians has the condition. One hundred and twenty-five thousand people in Canada have the genetic potential to suffer severe organ damage due to iron overload. It's believed that only 20 per cent of those with hemochromatosis know they have it.

Hemochromatosis cannot be cured, however, early testing, diagnosis and treatment for the disorder can reduce or eliminate most of the severe complications, which include arthritis, diabetes, heart failure, cirrhosis of the liver and cancer. Diagnosis is made through blood tests and genetic testing. Treatment is simple: frequent and regular removal of blood. This blood is suitable for donation.

When I first learned that I had hemochromatosis, I embarked on an aggressive program of reducing the iron in my blood. This iron-rich blood was then naturally replaced with iron-free blood from my own marrow.

Hemochromatosis is most prevalent in Canadians of European and Celtic descent. The incidence in Newfoundland and Labrador is significantly higher than the national average, and there are instances where an entire family has the condition.

Those affected in rural and remote regions must travel hundreds of kilometres to receive treatment.

The burden of undiagnosed hemochromatosis in Canada results in avoidable costs to the health care system of premature chronic diseases, the financial loss to families due to disability and the preventable loss of loved ones.

The Canadian Hemochromatosis Society strives to create awareness of hemochromatosis and provide support for those affected. The society has helped many Canadians avoid the progressive suffering, disability and premature death from chronic diseases prompted by hemochromatosis.

A small dedicated staff, a national board of volunteers, regional volunteer chapters and a medical advisory board champion the work that Marie started 35 years ago.

• (1350)

Colleagues, awareness is the cure to hemochromatosis. As Marie so accurately stated, "Find us one victim, and we will save a whole family."

[Translation]

ROUTINE PROCEEDINGS

THE ESTIMATES, 2014-15

SUPPLEMENTARY ESTIMATES (C) TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (C) for the fiscal year ending March 31, 2015.

[English]

MISCELLANEOUS STATUTE LAW AMENDMENT BILL, 2014

TWENTY-SECOND REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Bob Runciman, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, February 19, 2015

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TWENTY-SECOND REPORT

Your committee, to which was referred Bill C-47, An Act to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain provisions that have expired, lapsed or otherwise ceased to have effect, has, in obedience to the order of reference of Tuesday, February 3, 2015, examined the said bill and now reports the same without amendment.

Your committee has also made certain observations, which are appended to this report.

Respectfully submitted,

BOB RUNCIMAN
Chair

(For text of observations, see today's Journals of the Senate, p. 1589.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator McIntyre, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

CORRECTIONS AND CONDITIONAL RELEASE ACT

BILL TO AMEND—TWENTY-THIRD REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Bob Runciman, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, February 19, 2015

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

TWENTY-THIRD REPORT

Your committee, to which was referred Bill C-479, An Act to amend the Corrections and Conditional Release Act (fairness for victims), has, in obedience to the order of reference of Thursday, October 9, 2014, examined the said bill and now reports the same without amendment.

Respectfully submitted,

BOB RUNCIMAN
Chair

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Boisvenu, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

FISHERIES AND OCEANS

BUDGET—STUDY ON THE REGULATION OF AQUACULTURE, CURRENT CHALLENGES AND FUTURE PROSPECTS FOR THE INDUSTRY— EIGHTH REPORT OF COMMITTEE PRESENTED

Hon. Fabian Manning, Chair of Standing Senate Committee on Fisheries and Oceans, presented the following report:

Thursday, February 19, 2015

The Standing Senate Committee on Fisheries and Oceans has the honour to present its

EIGHTH REPORT

Your Committee, which was authorized by the Senate on Monday, December 9, 2013, to examine and report on the regulation of aquaculture, current challenges and

future prospects for the industry in Canada, respectfully requests supplementary funds for the fiscal year ending March 31, 2015.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the supplementary budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

FABIAN MANNING
Chair

(For text of budget, see today's Journals of the Senate, Appendix p. 1596.)

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Manning, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

GENETIC NON-DISCRIMINATION BILL

ELEVENTH REPORT OF HUMAN RIGHTS COMMITTEE PRESENTED

Hon. Linda Frum, for Senator Ataullahjan, Deputy Chair of the Standing Senate Committee on Human Rights, presented the following report:

Thursday, February 19, 2015

The Standing Senate Committee on Human Rights has the honour to present its

ELEVENTH REPORT

Your committee, to which was referred Bill S-201, An Act to prohibit and prevent genetic discrimination, has, in obedience to the order of reference of June 16, 2014, examined the said bill and now reports the same with the following amendments:

1. *Delete clause 3, pages 1 and 2.*
2. *Delete clauses 4, 5 and 6, page 2.*
3. *Delete clause 7, pages 2 and 3.*
4. *Delete clauses 9 and 10, page 6.*
5. *Delete clause 11, pages 6 and 7.*

6. *Make any necessary consequential changes to the numbering of provisions and cross-references resulting from the amendments to the bill.*

• (1400)

[Translation]

Respectfully submitted,

SALMA ATAULLAHJAN
Deputy Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

(On motion of Senator Frum, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

THE ESTIMATES, 2014-15

NOTICE OF MOTION TO AUTHORIZE THE JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT TO STUDY VOTE 1C OF THE SUPPLEMENTARY ESTIMATES (C)

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 the Standing Joint Committee on the Library of Parliament be authorized to examine and report upon the expenditures set out in Library of Parliament Vote 1c of the Supplementary Estimates (C) for the fiscal year ending March 31, 2015; and

That a message be sent to the House of Commons to acquaint that House accordingly.

NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUPPLEMENTARY ESTIMATES (C)

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, with leave of the Senate, and notwithstanding rule 5-5(j), I move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (C) for the fiscal year ending March 31, 2015, with the exception of Library of Parliament Vote 1c.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

QUESTION PERIOD

EMPLOYMENT AND SOCIAL DEVELOPMENT

EMPLOYMENT

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate, and it is a follow-up to the questions I asked earlier this week.

[English]

This month's Labour Force Survey reported that the number of Canadians who are working or seeking a job, known as the labour participation rate, fell to 65.7 per cent, which is well below the 2008 level of 67.3 per cent.

We talk about percentage, but this means thousands of people. Please keep in mind with these statistics that the population has grown since then.

This result is a clear signal that many Canadians have lost confidence in Canada's labour market and that there is something wrong with the government's strategy. It's not surprising to see why this rate is so low with youth unemployment continuing to remain stubbornly high and not providing a lot of hope for those who are graduating this year.

I'm asking the leader, what changes to the employment strategy is the government planning in order to reverse this low level of participation and make sure that people get back on track and find a job?

[Translation]

Hon. Claude Carignan (Leader of the Government): As I explained to Senator Hervieux-Payette earlier this week, we intend to continue to implement our different economic action plans, which continue to create jobs and help families make ends meet by reducing taxes and protecting Canadians.

As I told you before — and you must be familiar with these results by now — our government has created nearly 1.2 million net new jobs since the depths of the global recession. Most of them are well-paid, full-time jobs in the private sector. As we have always said, Canada is not immune to economic difficulties beyond its borders. That is why our government must stay focused on our job creation and economic growth targets. We are very proud of our plan to reduce taxes and provide benefits, including the Universal Child Care Benefit, which we improved. These amounts are paid directly to families, who in turn will reinvest in the economy. That helps to improve the economy and create jobs.

Senator, the plan is fairly simple. We are going to continue what we started. I hope that you will join us in supporting the upcoming Economic Action Plan for 2015.

Senator Hervieux-Payette: We could just play a recording of the same answer. I have data from Statistics Canada that pertain to what is happening right now. I am not talking about 2008. I am talking about 2014 and 2015, and I am giving you statistics for 2014. Statistics Canada recently revised its numbers. In December, it said that 86,000 jobs were created in 2014, but it has just revised that number to 21,000. These figures are coming from a government body that is recognized as knowledgeable in such matters. Statistics Canada found that the number of jobs created was actually 65,000 less than it originally thought. Here is what Nick Exarhos, the chief economist at CIBC, had to say, and I quote:

[English]

We're talking about one third of the jobs that we gained in 2014 just vanishing before our eyes. So the outlook for 2015 doesn't look too great in terms of employment.

Now I know that this government places a lot of hope on the Canadian private sector for job creation, but when a private sector economist, who works for one of our big banks gets up and declares there is a problem, I wonder whether this government is actually listening to the private sector and Statistics Canada.

[Translation]

We have to wonder what the action plan is. You don't have to apologize for anything. All you have to say is that you're prepared to look at it, take other measures and remedy the situation. You cannot just tell me, "I hope you'll vote" blindly, as you all do on the other side. Over here, I do my job.

Some Hon. Senators: Oh, oh!

Senator Hervieux-Payette: I have never seen a single amendment to these action plans. Perhaps the people on the other side have no ideas or they aren't allowed to submit them.

What will you do to make up for the 65,000 jobs that were not created in 2014? Stop bragging about what you did in 2008. We haven't even made up for all the jobs that were lost at the time. Let's talk about now and look at what we can do. We're here to help you.

Senator Carignan: Senator, if you're here to help us, then I hope you'll vote with us on the action plans to lower taxes and put more money in the hands of families instead of bureaucracy.

I would ask you to leave partisanship out of your comments. Other colleagues on your side have supported our economic action plan measures. They haven't done so blindly. They have done so because they have studied the merits of the action plans introduced by our government and they think they're good for the economy and Canadian families.

[Senator Carignan]

I invite you to join us in working to build a stronger Canada with a stronger economy and more money for families.

Senator Hervieux-Payette: Perhaps the Leader of the Government could assure us that we will be presented with a budget that contains only budget measures and that all the other acts amended as part of this budget implementation bill will be examined individually, through studies that we will all be allowed to participate in.

I must tell you that it is this hodgepodge of legislation included in the budget that is paralyzing us, making it impossible for us to study or make any constructive proposals regarding the budget and the other pieces of legislation.

Are you prepared to move a motion in this chamber and assure us that we will examine the upcoming budget separately from any other bills that might accompany it?

Senator Carignan: We have an established practice here that is appreciated by everyone. It involves examining the content of the bill, first of all, and identifying the various components of the budget implementation bill so that they can be referred to the appropriate committees. This approach seems to work. People really like the method that we have introduced. Once the budget is tabled, I plan to identify the various components and once again propose a pre-study, which will be divided amongst the various committees in order to give senators the opportunity to fully participate in the debate and weigh in on the consequences.

That being said, studying a finance bill can be very complex. However, given the proficiency of the senators in this chamber, I know we are up to the task.

• (1410)

Senator Hervieux-Payette: According to tradition, there is no pre-study and the chamber has one week to study the budget. We study the bill once it has been passed by the House of Commons after in-depth review.

In this case, no in-depth study was conducted in the other place. While they study the bill, we are forced to do the same thing at the same time and, in the end, to have all the committees working — because I believe that all the committees do their job. Thus, it takes longer.

You will agree with me that we are not honouring the Senate's tradition of being the chamber of sober second thought and having a second look at a bill after it is passed in the House of Commons. That is currently not the case. On several occasions, in order to move bills along more quickly, and for partisan and political reasons, you have forced us to look at bills in advance because we want to study them in detail.

Therefore, I would like you to simply tell us that we are going to follow tradition and confirm today that we will wait for a bill to be passed in the House of Commons before studying it in committee here in the Senate.

Senator Carignan: You know, senator, traditions evolve over time. Sometimes, to move with the times, we have to create new ones. Perhaps we have created a new tradition by doing pre-studies to ensure that senators can study each part of this major bill. I believe that we have to adapt in life. This institution is capable of adapting, and that is what we are doing when we do pre-studies to examine the different parts of a bill. I believe that this is something that is appreciated by all members of this chamber.

Senator Hervieux-Payette: Can you tell me when the committees — including the Finance Committee, which I am a member of — will entertain amendments following our consultations with the experts who come to see us?

With respect to an issue that I studied and that Senator Bellemare also criticized, people said that in the case of trademarks, the government was going against all of the industry's recommendations. We heard from numerous Canadian experts, and even though not one was in favour of that section, you passed the bill anyway.

I am simply asking you if, in the next stage, which will happen after the bill goes through the House of Commons, you will take into account amendments that might be put forward by members from your side and opposition members.

Senator Carignan: Senator, this chamber is made up of people with tremendous experience and skill in their fields. These people evaluate the bills, and they, like you, can put amendments forward when need be.

Our democratic system, which is enshrined in our Constitution, means that we can vote on bills and that the majority will usually prevail over those who want to amend the bill or pass it as is. That's the system we call "democracy," senator.

[English]

AGRICULTURE AND AGRI-FOOD

FOOD SAFETY—BEEF EXPORTS

Hon. Douglas Black: My question is for the Leader of the Government of the Senate. Last week the Canadian Food Inspection Agency confirmed a case of bovine spongiform encephalopathy, commonly known as mad cow disease, in an animal on a farm in Alberta. As Canadians, we know that Canadian beef is safe, and in this case the Canadian Food Inspection Agency has confirmed that no part of the animal has reached the human food or animal food systems. Notwithstanding this, South Korea has taken actions to block beef imports from Canada.

Will you please, as Leader of the Government in the Senate, inform the Senate what steps the government is taking to ensure that we keep markets open for Canadian beef and communicate the safety of our product to our trading partners?

[Translation]

Hon. Claude Carignan (Leader of the Government): Thank you for your excellent question, senator. You have made it clear that you are committed to the Canadian economy and the people you represent in your province. That is to your credit.

Obviously I wasn't anticipating that question, but I can say that as part of the government's ongoing BSE surveillance activities, the Canadian Food Inspection Agency confirmed that a beef cow born in 2009 was infected with BSE. As the honourable senator indicated, the agency confirmed that no part of the animal's carcass reached the human food or animal feed systems. In accordance with the internationally recognized protocol, the Canadian Food Inspection Agency is working with its provincial and industry partners. It will keep Canadians abreast of the situation as more information becomes available.

However, according to the World Organization for Animal Health, Canada remains a controlled BSE risk country, and we expect our trade partners to continue to recognize us as such.

As you probably know, on February 13, the organization told Reuters that the discovery and reporting of new cases of BSE gave the international community the assurance and evidence that the health surveillance systems were working and also showed Canada's commitment to meeting its obligations and being transparent about reporting diseases to the World Organization for Animal Health.

As far as South Korea's recent actions are concerned, that country followed our bilateral trade protocol. The government is applying Canada's rigorous monitoring system and working to resolve this situation as soon as possible, because needless to say, it is disrupting trade.

I also want to take this opportunity to point out that the Canadian Cattlemen's Association recently indicated that the finding of a case of BSE in a beef cow in Alberta, while unfortunate, demonstrates the robustness of the National BSE Surveillance Program Canada has in place.

The association added in its press release of February 13, 2015, that it has complete confidence in the Canadian Food Inspection Agency and the investigation that is under way.

Thank you.

Some Hon. Senators: Hear, hear!

[English]

ORDERS OF THE DAY

AGRICULTURAL GROWTH ACT

BILL TO AMEND—THIRD READING— DEBATE ADJOURNED

Hon. Donald Neil Plett moved third reading of Bill C-18, An Act to amend certain Acts relating to agriculture and agri-food.

He said: Honourable senators, Senator Hervieux-Payette was concerned, in one of her questions that she asked our leader, that this government in fact supports the private sector. So let me spend a few minutes telling everybody in this chamber how this government supports the private sector.

Honourable colleagues, Bill C-18, the proposed agricultural growth act, is vital to maintaining the health and future of Canada's agricultural industry.

I spoke at second reading about how Bill C-18 proposes to modernize the legislative framework that supports Canada's agricultural and agri-food industry.

Colleagues, let me focus on a few key areas of the industry that Bill C-18 seeks to improve and to modernize. Some of the acts that Bill C-18 will modernize have remained unchanged since the 1950s. It is crucial that the statutes are compatible with modern farming practices. We are now pursuing the most ambitious trade agenda in Canadian history. The Trans-Pacific Partnership alone would give Canada access to a market of almost 800 million consumers.

• (1420)

However, several of our key agricultural statutes are not consistent with international standards and fail to match those of our major trading partners and competitors, such as the European Union, the United States, Japan, South Korea and Australia. This puts us at a distinct disadvantage when it comes to selling certain agricultural products in the international marketplace.

First, Canada lags behind other key countries when it comes to international standards for protecting the rights of plant breeders. Plant breeders' rights are a form of intellectual property protection for plant breeders who develop new plant varieties and want to sell and collect royalties from the sale of reproductive material from those varieties, such as seeds and cuttings. These standards are set in Geneva by a body called the International Union for the Protection of New Varieties of Plants, UPOV. The most recent standards were established in 1991. Today, more than 70 countries are members of UPOV, including almost all developed nations and Canada's international trading partners. Currently all but Canada, Norway and New Zealand are party to

the newer UPOV 91 convention. In fact, Canada announced that it would sign onto UPOV 91 back in 1992. We are finally moving forward with this long overdue update.

Bill C-18 proposes that Canada comply with UPOV 91 in order to comply with the internationally accepted standards. This would create a more stable and modern intellectual property environment and strengthen Canada's entire agricultural industry. In committee, Dave Solverson, President of the Canadian Cattlemen's Association, stated:

The changes to the Plant Breeders' Rights Act are positive. Canadian cattle producers depend on innovation and improvements in feed grain and forages. We believe that the update to UPOV 91 will assist in seeing investment in seed development in Canada. The protections this act confers are not just for companies but are also for institutions like universities or governments that develop new varieties. Two of our major competitors, the United States and Australia, have adopted UPOV 91 and we hope to keep pace with them.

Erin Armstrong, Director of Industry and Regulatory Affairs at Canterra Seeds, a small seed company based in Winnipeg, told the committee:

At seed industry meetings in Europe last fall the question I was asked, even more than how harvest was going, was "What is the status of UPOV 91 in Canada?" The world's eyes are watching to see if Canada will update its legislation to match that of most of the rest of the world.

My good friend and colleague Senator Tardif, at our first meeting after the minister's appearance, asked the first panel, after they acknowledged that they strongly support the bill, whether they had any concerns. She stated:

I know that you represent a number of organizations. Can you share with us some of the concerns that you have heard? I'm sure that there are some concerns out there.

The Canadian Seed Trade Association answered:

I'll start because I think that my answer is pretty brief.

We don't have any concerns with the bill.

CropLife Canada responded:

The only concerns I hear from stakeholders are the weekly calls with a great deal of concern that this isn't going to get passed on time. That's the only concern I hear.

The third witness, from the Canadian Federation of Agriculture, also expressed no concerns with the bill and used the opportunity to highlight his federation's two favourite components of the bill: the updated plant breeders' rights and the amendments to the Advance Payments Program.

Senator Tardif did not ask any of the other witnesses this question, so I took the opportunity and asked each panel after that and got similar responses from each witness.

We heard from 26 witnesses; and only two witnesses were opposed to the bill. In fact, Patty Townsend, CEO of the Canadian Seed Trade Association, informed the committee of some missed opportunities by Canadian companies as a result of not meeting the UPOV 91 standards earlier. She stated:

We have a couple of small- or medium-sized companies that went overseas, spent all the money in investment, met with a number of international plant breeders and made arrangements to bring their varieties to test in Canada, only to have them call back about a week later and say, “Oh, we didn’t realize you weren’t UPOV 91 compliant, so we will not send our variety to you.” So a number of our Ontario companies missed out on some new varieties.

She continued:

An agreement was made, just after Bill C-18 was tabled, between one of our members and a very large European breeder to bring new varieties into Canada that are now being put on the market, so they lost that.

The potato industry has had a difficult time and is falling behind. They can’t get some of the blight-resistant and virus-resistant varieties being developed in Europe because the Europeans will not send them until we’re UPOV 91 compliant.

Bill C-18 will encourage investment and innovation in plant breeding in Canada while giving farmers more access to foreign seed varieties. When the few skeptics of the bill claim that the updates to the Plant Breeders’ Rights Act will benefit only the large multinational conglomerate seed corporations, we had very small community-based seed companies testify at committee stating the very opposite and encouraging the swift passage of these amendments. When I asked Canterra Seeds, the Winnipeg-based seed company with a total staff of 27, about this claim, Erin Armstrong stated:

We are not even close to being a national company, never mind multinational. It would benefit us, as I indicated by the material we have access to, through working with breeders around the world. It would extend that ability to bring material to Western Canada and commercialize varieties that would work well and benefit the farmers in Western Canadian agriculture.

Updating plant breeders’ rights to UPOV 91 would help farmers to keep pace with international competition and to meet current market demands. This means creating varieties resistant to disease or with improved nutritional content with higher yields or a lesser need for fertilizers and pesticides. At the same time, the bill explicitly recognizes the traditional practice of saving, conditioning and replanting seed that is personally saved from

crops grown on a producer’s own lands. This is known as farmer’s privilege. It would be entrenched in this bill. What is not permitted, however, is the selling of seed without authorization.

Jim Wickett from Western Canadian Wheat Growers told the committee:

I pay the royalty any time I purchase seed of a variety that is protected by plant breeders’ rights. However, as a rule, I can reuse the grain produced from that variety as a seed for another crop as many times as I like. It is no different than downloading a song from iTunes. Once I pay my 99 cents, I can listen to that song as often as I want. I can’t give or sell that downloaded song to anyone else, but I am free to play it as much as I like.

New seed varieties that are protected by PBR are treated the same way. I pay a royalty the first time I purchase it, but I can generally replant it on my farm as many times as I like, without paying that royalty again.

The other key change I want to focus on is the improvements to the Advance Payments Program, which is enabled under the Agricultural Marketing Programs Act. The government consulted with farmers across the country and improved the program by making it more flexible and user friendly for Canadian producers. Improving flexibility and predictability will assist farmers in managing their cash flows, building their businesses and driving our economy. Producers are constantly fine-tuning their operations and businesses and rightly expect the government to do the same with the tools and services offered to them.

• (1430)

Responding to producers’ recommendations, the legislation changes will help us streamline delivery of cash advances under the Advance Payments Program.

Bill C-18 allows farmers to obtain five-year agreements with the Advance Payments Program administrators. This would reduce the burden of filling out paperwork each year.

Colleagues, even the strongest piece of legislation — in this case, a bill that satisfies the entire industry — can come with a few critics. The National Farmers Union — an organization that, despite its name, represents a very small number of Canadian farmers — is critical of every component of this bill. In fact, they have been critical of every bill that our Minister of Agriculture has introduced since we formed government in 2006.

I suspect their membership number is insignificant, however, I cannot be entirely sure because the union itself claims to not even have a ballpark figure of their membership. In fact, when I was sponsoring the Marketing Freedom for Grain Farmers Act in 2011, I asked then-president, Mr. Terry Boehm, how many farmers he represented. He could not give me a number. When he testified a couple of weeks ago on this bill, I asked him if he had had the chance to count his members in the last five years and, of course, he had not. I asked him if 200 members sounded like a reasonable figure and he could only confirm that it was more than that. Baffled by this, I asked the other farmers’

associations if they were aware of their membership numbers. Whether it was 20,000, 50,000 or 100,000 members that they represented, they were all able to give me a number. In fact, the Agricultural Credit Corporation told the committee that they have 19 member organizations. They estimated that there were 215,000 commercial producers in Canada and that they represent 201,000 of these producers. They are avidly supportive of this bill.

Colleagues, hundreds of thousands, if not millions, of farmers and industry representatives are supporting this legislation, and an organization representing 200 members is claiming to be opposed.

The National Farmers Union was critical of the Advance Payments Program, a program that Canadian farmers have told us is absolutely imperative, especially for new farmers and entrepreneurs. Simply put, the proposed amendments to the Agricultural Marketing Programs Act would simplify the Advance Payments Program for producers and administrators.

In addition, the bill makes changes to the Farm Debt Mediation Act that would allow the Minister of Agriculture or his representatives to participate in mediation earlier in the process, while still a guarantor of the APP advance. The result? Better service delivery as a streamlined process for cases involving the repayment of APP advances would make it easier for producers to resolve their financial difficulties.

Again, Mr. Boehm from the National Farmers Union stated in his submission:

The amendments to the Advance Payments Program in Bill C-18 appear to be a way for the government to avoid responsibility for the long-term failure of Canada's agriculture policy to ensure the economy returns a sustainable income to farmers.

He stated:

The net result of these policy decisions is that an ever higher portion of the wealth created by farmers is captured by others, while farmers shoulder ever higher debt loads just to stay in business.

It appears that Mr. Boehm does not believe that Canadian farmers are responsible enough or financially capable enough to manage their own finances and is actively lobbying against their ability to borrow the money necessary to operate their business. If I were a member of the National Farmers Union, colleagues, I would be wondering whether I wanted to continue that membership.

Every other witness whom I asked about the Advance Payments Program, adding the flexibility with the proposed amendments, emphatically supported it. Some witnesses stressed that it is crucial for young farmers who are starting out, especially with respect to having the first \$100,000 interest-free for the first year.

The Advance Payments Program comes with an upper limit of \$400,000. Jaye Atkins, CEO of Agricultural Credit Corporation, was again asked by some of my colleagues opposite whether this

limit should be higher, so I also asked him if there was a number that would ever be high enough to satisfy each and every farmer in the country. He said that there would not be such a number. He did tell me and the committee, however, that Statistics Canada indicates that the average loan size of a farm operation in Canada is around \$200,000, well below the \$400,000 upper limit.

This is an important tool for Canadian farmers and I am proud that our government is making the program even more effective. Mr. Ron Bonnett, the President of the Canadian Federation of Agriculture supports the amendments of Bill C-18, saying:

The bill is ambitious and takes on several issues that will increase access to important programs for farmers and will result in cost savings for administrators and farms.

Across the country, farmers will be able to respond more quickly to emerging opportunities and expand into markets opened up by our international trade agreements, while simultaneously helping to grow the Canadian economy. We want to help entrepreneurs harness innovation, add value, and create jobs and growth right across Canada. We want their businesses to be sustainable, adaptable and competitive. To achieve this, we need Bill C-18. This legislation is imperative for the agricultural industry in the 21st century.

Bill C-18 proposes to enhance Canada's legislative framework so that it is effective, innovative and nimble enough to deal with 21st century realities.

Updated, streamlined and harmonized legislation would benefit Canadian farmers and industry, support the modernization initiatives of the Government of Canada and CFIA, and meet the interests of Canadians.

I think Dennis Prouse, Vice-President of Government Affairs at CropLife Canada summed it up well when he said at committee:

We are strongly supportive of Bill C-18, and hope that the House of Commons and Senate can pass it promptly.

We are particularly pleased about the potential to amend the current Plant Breeders' Rights Act, a key plank of the bill. We are also very encouraged by the portions of the agricultural growth act that relate to providing the Canadian Food Inspection Agency with the authority to consider foreign reviews, data, and analyses during the approval or registration of new products in Canada. Both these elements, after all, have certainly been a long time coming.

There is strong support and a real appetite for this bill across the industry.

Upon receiving Royal Assent, some of the changes of this act would come into force within a few weeks, while others would be phased in or require regulatory amendments. Colleagues, please be assured that before any changes are implemented, especially regulatory changes, the minister has stated emphatically that he is committed to consultation to determine the best course of action. Committee witnesses who were asked about the consultation

process all expressed their appreciation for the minister's effective and thorough consultation process in the drafting of this legislation, which included every industry affected by the bill. Furthermore, they all indicated their confidence that they would be consulted prior to any regulatory changes being made by the minister.

When you consider all of this, honourable senators, I trust that you will join me in voting in support of Bill C-18.

• (1440)

[Translation]

Hon. Diane Bellemare: Senator Plett, I congratulate you on your speech. It was very interesting. I tried to look at the seventh report. It's pretty thin. You explained in detail the reasons why you're moving the adoption of this report. You spoke a lot about the industry, and I have a question for you about that. Did the provinces, Quebec in particular . . . Did you get support from Quebec on this? The agricultural sector, as we know, is very important to all the provinces and especially Quebec. Thank you.

[English]

Senator Plett: Thank you very much for that question, senator.

We have received support from industry and farm organizations in Quebec. The minister may have, but I certainly haven't consulted with the provinces. However, we had witnesses in from the province of Quebec, both farmers and industry, and they were all very supportive.

(On motion of Senator Tardif, debate adjourned.)

ROUGE NATIONAL URBAN PARK BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Enverga, seconded by the Honourable Senator Ngo, for the second reading of Bill C-40, An Act respecting the Rouge National Urban Park.

Hon. Art Eggleton: Honourable senators, last week, Senator Enverga gave a very glowing endorsement of this bill. When the government first announced in 2011 their intention to create a national park in the Rouge Valley, there was a lot of excitement. Community members, organizations and local politicians that had campaigned for over 30 years to protect this area rejoiced at the time. But just a few short years later, it is becoming painfully clear that the joy has been dashed.

Widespread opposition has grown and at a fever pitch, not at the idea of the park itself, but to the federal government's plan. There was opposition from the province of Ontario, from municipalities and from the very community organizations that have for so long advocated for the creation of a national park.

The Canadian Parks and Wilderness Society has said this bill needs a rewrite. The Friends of Rouge Valley Watershed, Environmental Defence, STORM Coalition, Nature Canada, and Ontario Nature — all these organizations do not support how this bill is currently drafted. The only one that seems happy about the bill's approach is the federal government.

This is a very unfortunate situation, honourable senators. National parks bring much value to Canadians. They provide families opportunities to learn about and enjoy the wonders of nature. They provide a great place to explore, unwind and get away from our busy lives. National parks contribute to our national and cultural identity, and have in many ways contributed to our historical narrative as a country.

National parks provide important environmental and ecological protection. They maintain ecosystems and protect at-risk species. National parks also protect our forests that help alleviate our carbon footprint, which is necessary to combat climate change.

National parks also have an important economic imprint. They increase tourism and create jobs, which are essential for a healthy and diversified economy. A 2011 study by Canadian Parks Council found that national parks generate some \$4.6 billion to our gross national product.

It is unfortunate that such opposition exists towards this government's plan. It is unfortunate that the government has not listened to these concerns. Many organizations have written to the government expressing their concerns only to be met with silence. Maybe Senator Enverga will listen to them.

Witnesses at the house committee expressed their concerns and provided substantial recommendations, but nothing was done. The opposition parties in the other place brought forward some 18 amendments to strengthen this bill. They were all rejected.

Honourable senators, what are the concerns? There are many, but I want to focus on three.

First, the government did not listen to the community on the size of the park. The proposed size of the park is only 58 square kilometres. This is much smaller than the community had wanted. They wanted the park to be 100 square kilometres, which would link Lake Ontario to the heart of Oak Ridges Moraine. This land is part of the mixed woodland plain in the Carolinian forest zones of southern Ontario that have significant biological diversity and many endangered species. Also, much of the land in this larger area is already federal land. It makes no sense not to include it. A 100-square-kilometre park would create a much more dynamic park and do a much better job of protecting this important ecological area.

The second major concern is the lack of environmental assurances in the legislation. What is baffling is that in each and every national park legislation, there is a specific clause that ensures environmental stewardship, but not in this one. That normal clause that you see says:

... a set of ecological integrity objectives and indicators and provisions for resource protection and restoration, zoning, visitor use, public awareness and performance evaluation, which shall be tabled in each House of Parliament.

The key phrase here, honourable senators, is “ecological integrity.”

In plain language, ecosystems have integrity when they have their native components intact, including: abiotic components (the physical elements, e.g. water, rocks), biodiversity (the composition and abundance of species and communities in an ecosystem. . .

Parks Canada’s objective by law for all of their national parks is to:

... allow people to enjoy national parks as special places without damaging their integrity.

To do this, Parks Canada creates an ecosystem management plan that has eight guiding principles ranging from “conservation strategies should maintain or restore key ecological processes that reflect their natural condition” to “human use and facilities should be compatible with park ecosystem protection in type, amount and timing.” Honourable senators, that clause and that high standard are not in this bill. Other bills have it, but not this one. Instead there is a very vague statement in clause 6. It states:

The Minister must, in the management of the Park, take into consideration the protection of its natural ecosystems and cultural landscapes and the maintenance of its native wildlife and of the health of those ecosystems.

“Take into consideration,” honourable senators? That’s all it says. That’s a very weak statement and it is certainly not a plan.

The term “ecological health” is not defined in the legislation. What does it mean? No one knows exactly. We know what the previous terms they’ve used mean, but they’re changing it. Why?

Why is this a problem? Honourable senators, as we all know, definitions are put in bills for a very good reason. Ministers change; their priorities change. We put definitions in to restrict ministers’ discretion, to ensure the intent of the legislation is followed and will not be derailed.

• (1450)

As the wording currently stands, the minister has the discretion to go against the best interests of the park. He could go against the advice of ecologists, residents and other levels of government; he just has to take their thoughts into consideration.

Honourable senators, due to this lax environmental commitment, the Government of Ontario has now pulled its support for the park. That’s a very important matter, because Ontario currently controls 22 square kilometres, or 44 per cent, of this proposed 58 square kilometres of land that make up the current plan for the park.

People thought they were getting 100 square kilometres. The land is there to do it. The government is now proposing 58 square kilometres, but 44 per cent of that is owned by the province, and they’ve pulled out. What kind of a national park is this? You’ve got to be joking. What kind of a national park? They simply will not transfer the land.

Ontario Infrastructure Minister Brad Duguid used this phrase; he called the proposal “a joke of a park.” This is the provincial government, which owns 44 per cent of the land they want to have as a national park.

He further said that he won’t be recommending, nor will the province consider, transferring these lands at any time until they have the assurances they need with regard to environmental integrity. Minister Duguid said:

Under current provincial laws and regulations, Ontario’s portion of the proposed park receives a high degree of environmental protection. Our government has always been a strong supporter of the Rouge National Urban Park, but will not allow weaker laws to govern the lands.

That is from a minister of the Government of Ontario.

Now, if Ontario doesn’t transfer this land, the park will be so small and dispersed that it will be just a shadow of a park. How can we be proud of that? How can we get excited about that?

The third concern is in clause 8. It says that the minister may appoint an advisory committee on the management of the park. But, honourable senators, that also means the minister may not appoint an advisory committee, and may not hear from outside voices with immense experience and expertise that would help maintain the park’s public integrity and environmental stewardship. Perhaps if the government had a better environmental track record, we would feel better if the minister decided not to listen to outside voices; but we know that this is a government that has repeatedly failed on the environment, so I don’t have a lot of confidence.

In conclusion, honourable senators, this should have been a slam dunk. This should have been a slam dunk for the federal government. How could they possibly botch up a national park? Everyone was on board, but it has turned into a plan that many are not happy with. Perhaps the witnesses, when this gets to committee, will alleviate these concerns. I’m open to what they have to say, and I hope my colleagues on the other side of the aisle will be open to their suggestions as well.

Hon. Tobias C. Enverga, Jr.: May I ask a question?

The Hon. the Speaker *pro tempore*: Will the Honourable Senator Eggleton take a question?

Senator Eggleton: Yes.

Senator Enverga: Thirty years ago, when I first came to Toronto, the first mayor I knew was our dear Honourable Senator Eggleton. I'm so happy and proud because Toronto is the best city I have ever lived in. I know we can make it stronger by having the urban national park. Your speech has brought up a lot of questions, but I'm pretty sure they will all be answered during our committee meetings.

My question, senator, is this: Have you checked or have you realized that there is an MOU that Parks Canada and the Government of Ontario have signed, and that Parks Canada has consulted with 150 organizations and 10,000 individuals?

With all these questions, you understand that an urban park is a different park; it's not a wilderness park. We are talking here about ecological integrity. When we're talking about an urban park, like Rouge National Urban Park, the concept of ecological integrity as it applies to Canada's national parks is simply unachievable, because this park is unique. Its uniqueness is that it has a component of cultural, historical significance, and there's farming. We can't say this is just ecological integrity, because there are so many things to consider.

My question, senator, is this: Have you realized that this is a unique park? It's not a wilderness park. It's an ecological park. It's a different urban park.

Senator Eggleton: Of course, yes, it is. But I don't understand how your government could have botched this up so badly that even the provincial government, which has 44 per cent of the land, is pulling out because it says you're not doing enough to protect what ecological, sensitive systems there are in this park — and there are.

Yes, you can make an argument that this is a different kind of park, but it's not what the people locally have been fighting for. They want something more than this, and they want something where there is proper protection for the environment. The Ontario government has said, "Here's the standard." They entered into negotiations with the federal government, and the federal government refuses to meet the standard. Refuses to meet the standard of the provincial government? This is in the province of Ontario.

Listen, let's hear about this at the committee, by all means, but I think it's unfortunate the way this has developed to this point in time, because it started off as a really good-news story. Let's make the changes. Let's get Ontario back, let's get the local community back, and let's really make this a park we can all be proud of.

Senator Enverga: The whole purpose or the idea of having this Rouge National Urban Park, which, according to Parks Canada — Parks Canada has a history of taking care of our environment, our parks. It was established in 1911. They said, if I may quote, that they will give Rouge National Urban Park the "strongest

ever protection in the Rouge's history — no urban park in the world will be as well protected." That would make a lot of difference, don't you think?

Senator Eggleton: You don't believe all that stuff they tell you, do you, senator?

Some Hon. Senators: Oh, oh!

Senator Eggleton: I hope not. The fact is, they have language that they have been using in a lot of the agreements, and they've taken it out of here. They're not recognizing that there are sensitive systems in this area. Sorry.

Oh, you've got another speech question.

Senator Enverga: The reason I'm talking about this is that I care for Toronto as much as you do, senator. I know that you want the best for Toronto. Parks Ontario was saying that they're already giving enough protection, but when you look at what Rouge National Urban Park will get, they will have a lot of new laws that will exceed Ontario's protection of the Rouge, which could mean that they will directly prohibit mining on lands, directly prohibit removal of native plants, directly prohibit hunting on all lands, provide full protection under the Species at Risk Act, and so much more.

An Hon. Senator: A question!

Senator Eggleton: The problem is that they're only going to have about a quarter of the park that people thought they were going to get. That's definitely a poor showing. But let's get back to it, and maybe at committee we can get the Ontario government back, and maybe the people back, and we can get up to something bigger than just a shadow of what it was.

The Hon. the Speaker *pro tempore*: Are honourable senators ready for the question?

An Hon. Senator: Question.

The Hon. the Speaker *pro tempore*: It was moved by the Honourable Senator Enverga, seconded by the Honourable Senator Ngo, that this bill be read the second time.

Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to and bill read second time.)

REFERRED TO COMMITTEE

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this bill be read the third time?

(On motion of Senator Enverga, bill referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.)

• (1500)

THE SENATE

MOTION TO RECOGNIZE THE NECESSITY OF FULLY INTEGRATED SECURITY THROUGHOUT THE PARLIAMENTARY PRECINCT AND THE GROUNDS OF PARLIAMENT HILL AND TO INVITE THE RCMP TO LEAD OPERATIONAL SECURITY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carignan, P.C., seconded by the Honourable Senator Marshall:

That the Senate, following the terrorist attack of October 22, 2014, recognize the necessity of fully integrated security throughout the Parliamentary precinct and the grounds of Parliament Hill, as recommended by the Auditor General in his 2012 report and as exists in other peer legislatures; and call on the Speaker, in coordination with his counterpart in the House of Commons, to invite, without delay, the Royal Canadian Mounted Police to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill, while respecting the privileges, immunities and powers of the respective Houses, and ensuring the continued employment of our existing and respected Parliamentary Security staff.

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, this is an important debate which touches on many significant issues. I urge all honourable senators to intervene in the discussion. What we decide and how we make that decision has far-reaching implications for our parliamentary democracy.

The matter of enhancing security on Parliament Hill has been a subject of debate for decades. There were discussions and various proposals for improving security long before I arrived in this chamber. However, the shocking events of October 22 gave that work a new impetus and led directly to the motion we now have before us.

Before turning to the motion itself, I wish once again to express my admiration and appreciation to all the security personnel who responded so professionally that day and, in particular, to the members of our own Senate Protective Service.

It's only logical that following that assault on Parliament a careful review would be undertaken about what took place, and that following that review recommendations for improvements would be made. There is always room for improvement.

Following normal procedure, the RCMP turned to another police force to examine its own practices. It asked the Ontario Provincial Police to examine the conduct of RCMP officers, both inside and outside Centre Block on that day.

House of Commons Speaker Andrew Scheer, in turn, asked the OPP to investigate the conduct of House of Commons guards in Centre Block.

In addition to these investigations, there is also the work of the Senate and House of Commons Joint Advisory Working Group on Security. That body, in various incarnations, existed long before October 22 and provided advice to our committee on Internal Economy and to the Board of Internal Economy in the other place about how best to coordinate security activities on Parliament Hill. Our colleague Senator White co-chairs that working group, together with Speaker Scheer. The other members from this chamber on that working group are Senators Campbell, Dagenais, Furey and Tkachuk.

That advisory group quickly concluded that a unified security force for the Senate and House of Commons is the most rational way to deal with future threats.

On November 25, 2014 — that's a month after the events of October 22 — the working group issued a public statement saying:

The unified security force will be led by one senior executive who will report to the Speaker of the Senate and the Speaker of the House of Commons through their respective Clerks.

After coming to this conclusion, the working group began examining how a unified force, reporting to our two Speakers, would operate in practice. Not wishing to reinvent the wheel, it began looking at best practices in other jurisdictions and, in fact, travelled to Washington, D.C. the last week in January to consult security officials in the bicameral U.S. Congress.

Unfortunately, while in the middle of its review, news leaked that the RCMP were going to be given the lead on security matters for Parliament. On February 4, 2015, the *National Post* reported as follows:

Nearly a century of parliamentary tradition is coming to an end with the RCMP poised to take control of security inside the Parliament Buildings.

The Conservative government is giving the Mounties power over what used to be an entirely independent security team patrolling the halls of the House of Commons and Senate, sources familiar with the plan tell The Canadian Press.

That press report was accurate, because quickly thereafter the motion before us was unveiled by the government.

As I noted yesterday, this move was made before the Ontario Provincial Police reports were presented and before the Joint Advisory Working Group on Security had completed its study. In fact, it's my understanding that the members of that working group, who are all parliamentarians, were not even consulted before the government decided upon this course of action.

:

We have no way of knowing what options other than the proposal before us today were being considered by the working group or what other options were considered and rejected by the government before it settled on the course of action which is set forth in the government motion. It may very well be that this is the best option, but we've not been provided with the information necessary to reach that conclusion either by our working group or by the government.

Colleagues, it's important to note that this motion is not limited to security matters surrounding the Prime Minister's Office. It covers the entire Parliamentary Precinct. I'm disappointed that it appears that no parliamentarians, apart from perhaps the Prime Minister, himself, were involved in the formulation of this plan.

As many colleagues have already noted in debate on this motion and in debate on the point of order which I raised on Tuesday, the issue before us goes to the heart of the long-established constitutional principle of the separation of powers between the legislative and the executive branches of government.

I mentioned before an excellent two-volume series I read over the Christmas break called *Parliament: The Biography*, written by British historian and Labour MP Chris Byrant and published just last year. I commend it to those interested in the evolution of the Westminster parliamentary system. It provides a timely reminder that the traditions and principles of this place are not quaint or eccentric formalities, but rather are hard-earned victories critical to the development and maintenance of our parliamentary democracy. Indeed, they are the foundation of our parliamentary democracy. Colleagues, we undermine those principles at our peril.

Lives on both sides were lost in the struggle to ensure that parliamentarians and not the Crown — now the government — control access to this place and the legislatures that operate within the Westminster-style parliamentary system. That is the origin of the tradition of our Black Rod knocking on the closed doors of the other place to convey the Crown's request that the members there attend her for the Speech from the Throne, because the Crown cannot control access to Parliament. It is and must be parliamentarians who control access to Parliament.

This is the principle that goes back centuries. Indeed, it was the King's attempted breach of that principle that launched the English Civil War and ultimately led to King Charles I losing his head. He infamously entered the House of Commons, sat in the Speaker's chair and demanded the production of five members whom he wanted arrested for treason.

Treason is a high crime, colleagues. No doubt King Charles would have said that it was no less a threat to his country than terrorism is to our country today, but the Speaker and parliamentarians held firm.

That is our history, the legacy of centuries passed to us to uphold: a fundamental constitutional principle that underlies Parliament and its power and authority.

Colleagues, the issues before us today are not theoretical. They are not simply points of academic debate. As I've said, they are the foundation of our parliamentary democracy. We cannot allow

ourselves to be stampeded into eroding these principles as a reaction — dare I say, an overreaction — to the tragic events of October 22.

We all agree that we have a responsibility to provide a safe workplace for parliamentarians and for others who work in the Parliamentary Precinct, as well as a safe environment, as Senator Carignan said the other day, for the hundreds of thousands of visitors who come to the Hill each year. But we need to strike the proper balance between security and the rights and freedoms we were all sworn to uphold.

The issue here is not the existence or preservation of silos or stovepipes. I'm not arguing against cooperation or integration of those responsible for parliamentary security. But the government has, despite repeated requests, failed to show how this proposal would have prevented or even mitigated the tragic events of October 22, events which are the very *raison d'être* of the motion before us.

The real concern I have is not integration, but rather that we maintain that fundamental principle of the separation of powers between the executive and the legislature. The problem with the option chosen by the government is that the RCMP Act clearly states that the RCMP is responsible to the executive and reports to the Minister of Public Safety and Emergency Preparedness.

• (1510)

As Senator Joyal noted on Tuesday, section 5 of the Royal Canadian Mounted Police Act provides that the commissioner of the force is appointed by the government and that individual “under the direction of the Minister, has the control and management of the Force and all matters connected with the Force.”

Assurances have been given by Minister Duncan in the other place and by Senator Carignan here that the intent of this motion is not to interfere with or erode Parliament's fundamental and critical right to manage its own affairs. Though operational control of security matters would be led by the RCMP, it would take place within the context of an agreement negotiated with the two Speakers and ultimate authority would lie with the Speakers, not the RCMP.

Yesterday, I put to Senator Carignan the statement Minister Duncan made in the other place, and this is what Minister Duncan said:

The motion calls for the coordination of the new responsibilities and roles to be through the Speakers' offices. . . .

There will be a detailed implementation plan developed over the coming months outlining a phased approach to deploying a fully integrated security model. All of that will be under the control of the Speakers.

Senator Carignan confirmed this to be the position of the government.

Now in the interests of clarity so that the motion more accurately reflects what the government says is the true intent, at the end of my remarks I will propose an amendment to the motion.

In his ruling yesterday the Speaker said:

Some senators expressed concerns that the motion was unclear or incomplete. To the extent this may be the case, the correct vehicle to refine its content is to explain problems during debate and to bring forward amendments to provide greater clarity.

That is exactly what I intend to do. In my view, a clarifying amendment to the motion would be helpful to our Speaker as he enters into these negotiations and discussions because there would be less uncertainty about the parameters of the invitation being extended to the RCMP by this chamber.

Need I remind colleagues of the uncertainty which clouds and confuses our relations with the Auditor General as a result of an ambiguous invitation which the Senate issued in June of 2013. Let's not make the same mistake twice.

Though it is true that the other place has already passed their motion without any such clarification, we are an independent chamber, and there is no procedural reason for the two motions to be identical. This is not a bill we're amending that would need to be returned to the other place accompanied by a request for concurrence.

As to the wording that should be used to clarify our intent, I would refer colleagues back to the statement released by the Joint Advisory Working Group on Security on November 24, 2014, which stated:

The unified security force will be led by one senior executive who will report to the Speaker of the Senate and the Speaker of the House of Commons through their respective Clerks.

Personally I would leave the decision about whether the reporting mechanism should go through the respective Clerks to the Speakers themselves.

The critical element is that whoever in the RCMP was chosen to take the lead on operational security would report to our Speakers. That is what the government says is the intent of the motion before us.

MOTION IN AMENDMENT

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, for the reasons I've described, therefore, I move:

That this motion be not now adopted, but that it be amended by inserting immediately before the words "while respecting the privileges, immunities and powers of the respective Houses" the words "reporting to the two Speakers", so that this portion of the motion would read: "to invite, without delay, the Royal Canadian Mounted

Police to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill, reporting to the two Speakers, while respecting the privileges, immunities and powers of the respective Houses. . .".

The Hon. the Speaker: Senator Cowan, do you have the French version of that amendment?

Senator Cowan: I do.

The Hon. the Speaker: We can give it to the interpreters. We will make copies to make sure that everybody has the French version as well.

Senator Cowan: Yes, both versions are there, Mr. Speaker.

The Hon. the Speaker: It was moved by the Honourable Senator Cowan, seconded by the Honourable Senator Fraser:

That this motion be not now adopted, but that it be amended by inserting immediately before the words "while respecting the privileges, immunities and powers of the respective Houses" the words "reporting to the two Speakers", so that this portion of the motion would read: "to invite, without delay, the Royal Canadian Mounted Police to lead operational security throughout the Parliamentary precinct and the grounds of Parliament Hill, reporting to the two Speakers, while respecting the privileges, immunities and powers of the respective Houses. . .".

Hon. Elaine McCoy: Thank you, Senator Cowan, for your comments. I agree that the separation between the legislative and the executive functions should be clear and distinct and they are relevant and active today and we should maintain them.

I'm curious though, in your amendment you say "reporting to the two Speakers." It would seem to me that the real issue is whether the creature of the executive, i.e., the RCMP, whose legislative mandate and duty is to take orders from the executive, do not take orders from the executive in these matters but orders from either the House of Commons or the Senate, or in this case the two of them, as enunciated by the Speakers.

Would not the wording be better to say that the RCMP would take orders from and then report to the two Speakers? If you want clarification, then you need to be crystal clear.

Senator Cowan: Thank you, Senator McCoy.

I chose the word "report" because I think that covers it. If you are the person to whom one reports, then it seems to me you exercise a measure of control. I thought it would be better than using the word "control," but you are free to make a subamendment if that's your wish.

Senator McCoy: Do I have to provide an amendment in writing? I'm not prepared, but I certainly can take the adjournment and prepare such an amendment.

The Hon. the Speaker: Other colleagues will have questions in the meantime. In your own time, you can propose an amendment or subamendment. There is nothing preventing that.

Senator McCoy: Right.

The Hon. the Speaker: I will recognize the Leader of the Government in the Senate, Senator Carignan.

[Translation]

Hon. Claude Carignan (Leader of the Government): Honourable senator, it seems to me that your amendment creates more confusion, rather than clarifying anything. The word “reporting,” in my opinion, is restrictive. The fact that it comes before the words “privileges, immunities and powers” limits and diminishes the role of the Speakers.

• (1520)

The original motion shows much more respect for the privileges and immunities of each house. Why did you use the word “reporting” like that? Considering everything that was said during the point of order procedure and in the speeches, it seems to me that the original motion gives the Speaker much more power and many more responsibilities. That is the intent of the motion.

[English]

Senator Cowan: I took that as a comment rather than as a question.

In my view, it was important to refer to the two Speakers. I took from the discussions and from the statement that you acknowledged yesterday as confirming to this house what Minister Duncan had confirmed to the other house. I thought that was a way of reflecting the commitment the government was making.

I do think that as the motion stands, there is a lack of clarity because there is no definition and no specificity with respect to the types of privileges, immunities and powers of the respective houses. That’s the reason I chose for proposing the amendment.

Hon. A. Raynell Andreychuk: Could I ask for a clarification of the words “reporting to the Speakers”? Is it informing them so that they are part of it and they know exactly what is happening, or is it that the authorities will be there? I think the word “reporting” is the one I’m not clear on, so perhaps you could elaborate on your intent on that a little more.

Senator Cowan: The important thing is that the ultimate control and authority rests with the houses of Parliament, not with the government but with the Senate and the House of Commons, and the persons representing those houses are the Speakers of our two institutions. That’s the point.

[Translation]

Senator Carignan: Senator Cowan, if that’s your point, I don’t understand. The motion takes into account the powers of both houses and respects the privileges and immunities of each house. When you say that authority rests with the houses of Parliament, that includes the Speakers. However, you are excluding the houses and putting all the authority in the Speakers’ hands by using the term “reporting,” which severely restricts their role to receiving reports, not being responsible. Once again, I’m having trouble following you. Would you mind explaining the amendment again, if possible?

[English]

Senator Cowan: In my view, the Speakers are the servants of the houses over which they preside. The RCMP can’t be reporting to everybody because everybody can’t give direction or speak for the institution, and if you pick one person to speak for an institution, that person, in my judgment, ought to be the Speaker of the house. That’s why we have a Speaker.

I think if you were looking for a person who would negotiate the agreement in the first instance, who would be the point person for the ongoing operation of the service agreement over a period of time — as I understand it is the case when service agreements are negotiated between the RCMP and a province, it is a minister of the provincial government who is identified as the person responsible. It’s not the legislature of the province. It’s not the executive council of the province. It is an individual who is identified as being that point person.

I’m suggesting that for our purposes, the logical person to be selected is our Speaker, and that’s the purpose of my amendment.

I’m certainly reassured by the assurances you confirmed in the house yesterday and by the strong wording in the final paragraph of the Speaker’s ruling on my point of order when he made it clear that in his negotiation of this agreement, he will ensure that our rights and privileges and immunities are respected. I have every confidence that he will represent our interests well, but I think there is a lack of clarity in the motion, and I have in my way tried to add clarity and some specificity in identifying the Speaker as the appropriate person in our system for that reason.

[Translation]

Senator Carignan: I understand your intent, but I get the impression that your amendment limits the power and importance of the Speaker.

When you talk about reports, do you mean daily reports? Monthly reports? Annual reports? Are you talking about verbal reports? Written reports? It is not clear at all.

[English]

Senator Cowan: The answer to that is that would all be worked out by our Speakers in negotiations with the RCMP, should the motion pass. That’s where one would expect to have that done. I have every confidence in our Speaker and his ability, along with

Speaker Scheer, to be able to negotiate an appropriate reporting mechanism and an appropriate relationship between the coordinating entity — in this case, the RCMP — which will be selected by the houses of Parliament.

We have to have somebody. We all can't be sitting around the negotiating table negotiating with the Commissioner of the RCMP any more than we would negotiate with the officer corps of the RCMP. The RCMP will designate somebody to be a liaison person, and in my view, the appropriate person to represent us collectively is our Speaker.

The Hon. the Speaker: Senator Cools, on a question or on debate?

Hon. Anne C. Cools: I have a question for Senator Cowan.

The Hon. the Speaker: If it's on debate, other people may have questions.

Senator Cools: No, I am not ready to speak yet. Senator Cowan, I thank you for your remarks. I think what is already becoming very clear is the insufficiency of the motion itself, and that the motion itself does not really capture the true intentions of the proposition, I hope to make myself clear.

This motion speaks in terminology of inviting the Royal Canadian Mounted Police, if we so choose, or designate the RCMP to be the force in question. Our choice of RCMP is not in the nature of an invitation. A motion is always in the nature of an order. It could be in the nature of a designation, or it could be in the nature of an agreement between the RCMP and the Senate. What Senator Carignan's motion has assiduously avoided is the determination and the clarity on the question where does final power rest. That is extremely important because these houses, because of their independent structure and their powers, privileges and immunities, cannot surrender the power given to us by Her Majesty to anybody else. The houses cannot be controlled by any superior power.

Consequently, one of the first issues that has surfaced, and has become clear in the so very few minutes of the debate is the question of where the power rests in this proposed relationship between the RCMP and the Senate. To my mind, the term "report" to the Speaker is insufficient. It would be better to see words like "under the direction of the Speaker of the House of Commons and the Speaker of the Senate."

Senator Cowan, I want your comment on this power relationship because the language of this motion is insufficient to the high importance of the power relationship involved. Remember, we are talking about security of life and limb here.

• (1530)

Yesterday, Senator Carignan went to great pains to explain that his motion flows from the terrible October tragedies that unfolded in Saint-Jean-sur-Richelieu and here. The issue here is the use of deadly force. The motion should use language that is clear on the exercise of power when we are dealing with deadly

force. Such a motion should be clear. We must be certain that control over these precincts and over our two houses is never surrendered to anybody who is not a member of these houses.

Your Honour, I intend to develop these thoughts next week when I have more time, but the real issue is: Who has the last word? Is it the RCMP or the two houses? That is a question that Senator Carignan has not addressed in his motion. Senator Carignan, I know that you will take this to heart and look at this question very carefully. This is the question that is central to the whole matter, and if it is not resolved early, I am afraid the motion should be ditched.

The Hon. the Speaker: Senator Cowan, do you have a comment?

Senator Cowan: I'm not sure that was a question. I'll answer for my friend Senator Carignan. I was looking at the dictionary with my friend Senator Herveux-Payette a moment ago, and the definitions in the Oxford Dictionary talk about "reporting" as having supervision or responsibility to. I was trying to get away from saying "at the direction of." Our Speakers are not security experts. I wouldn't think it would be appropriate for them, as our representatives, to be telling our security personnel how to do their jobs. They're not going to decide where security vehicles ought to be placed or where security cameras ought to be placed and that sort of thing.

But as I see it, they are, on our behalf, supervising the security function which is taking place, and it's in that sense that I used the word "report" — in the sense that they are responsible for and answerable to those up the line to them. That's the concept that I was trying to catch.

Senator Cools: Honourable senators, I am very pleased that you have said that, Senator Cowan, but as I said before, we are dealing with a definition of power relations. I do not think anybody is concerned about the pedestrian, mundane, day-to-day administrative minutia as to where police cars are parked and so on, unless, of course, senators were to discover that we cannot park our cars on the Hill anymore, for whatever reason, because so many more police cars were needed.

What I am asking you, Senator Cowan, because you have done more work on the matter than I have, flows from the fact that we, the Senate, have not looked at the nature of the power relationship that would pertain between the houses and the security forces. One of the reasons that such unification and other changes have not occurred in the past many years, is that when it comes to the fundamental questions as to who is really in charge, the situation gets very murky and very cloudy. I do not expect every senator to be a proficient expert on security issues, but I do expect that our dear beloved Speaker Nolin here will take a more than ordinary interest in the matter, if we choose to go down this road.

Honourable senators, it is a question of power. This chamber should not surrender any power to any stranger, to use a nice parliamentary term. No stranger should hold that kind of power over the institution, or over senators, and gentlemen and lady

[Senator Cowan]

senators, these are where the problems will arise. It is not in the wide conceptual idea, but it is the principles that will govern the houses to the police relationship.

Senator Cowan: Just to follow up on that, I meant to mention earlier, and I think I did in the course of my speech, that I took the wording that I used in my amendment from the statement released by the Joint Advisory Working Group on Security on November 25, and I'll just read that one section again:

The unified security force will be led by one senior executive who will report to the Speaker of the Senate and the Speaker of the House of Commons through their respective Clerks.

So that's the origin of the word "report." It's taken from the statement of the joint working group. I'm not part of that group. You might have a word at some point with Senator White, or he may be able to shed some light in the course of this debate on why they chose that word rather than "control" or "supervision" or something else. I took that word because I wanted to track the work that was already done by our joint security working group.

Senator Cools: Senator Cowan, I thank you for that, but now I'm providing you with an opportunity to rethink it.

The Hon. the Speaker: We're still on the time of Senator Cowan.

Hon. Vernon White: So I'll take my time. I'll draw it out.

The Royal Canadian Mounted Police provide, if I may, Mr. Speaker, contract policing services to every province in Canada with the exception of Ontario and Quebec. They also provide contract policing service to a number of municipalities and the three territories. That means there has to be a contract signed by both parties that come to an agreement on reporting or accountability, for what happens, not for how it happens. Experts in policing will determine how something happens. As an example, it might be determined by the two Speakers that in the contract here the Speakers would say they want to have a perimeter security detail that allows one access point. That's what happens.

How that's determined to come to be will be determined by the RCMP. Until a contract is signed by the two Speakers with the RCMP, nothing can happen. So regardless of whether our motion moves forward, it will still take a contract signed by the two Speakers with the Commissioner of the RCMP and probably a government representative of Public Safety Canada, and that's what will determine where we go next.

Although I appreciate the amendment, my perspective is the motion really allows us to move forward with the negotiation of a contract between the two Speakers and the Royal Canadian Mounted Police and a federal government representative of Public Safety and Emergency Preparedness. I don't have a concern about the motion. I would have a further discussion in the future about the contract that we end up negotiating, if that's helpful, Mr. Speaker.

The Hon. the Speaker: Senator Cowan, do you wish to comment?

Senator Cowan: I thank Senator White for his clarification.

The Hon. the Speaker: Is there any other question for Senator Cowan? We will move on to debate.

[Translation]

Hon. Maria Chaput: Honourable senators, I rise today to support the amendment moved by Senator Cowan. I believe in the concept of integration and coordination. I also believe that operating in silos is detrimental to security, communication and coordination of operations.

I commend the current staff responsible for parliamentary security. These men and women whom we work beside every day do an exemplary job and deserve our support.

I followed with great interest the debate on the point of order raised by our colleague, the Honourable Senator Cowan. I also carefully listened to and reread our Speaker's decision on that matter. I feel that our Speaker is comfortable with the wording of the motion, and I have no doubt that he will take his role as custodian of the rights and privileges of the Senate and senators very seriously when necessary.

I am opposed to the motion moved by the Honourable Senator Carignan because I have some concerns about its scope. Whether by a motion or other means, we are making significant changes to the system prescribed by the Parliament of Canada Act, a law that we have a duty to uphold. Although this reason was not cited as grounds to rule the motion out of order, it is a very valid reason for opposing this motion at this stage. It is the main reason why I am opposed to the motion. I understand that, on our side, we can establish that the RCMP would report to the Speakers of both chambers in carrying out its activities in the Parliamentary Precinct. A number of our colleagues pointed out that we should be more careful before undermining the privileges of the Senate. Why not wait for the report and the recommendations that will come out of the two studies under way before making a decision about the best way to proceed?

• (1540)

As the Honourable Senator Ringuette said, we're still waiting for a full analysis from the Ontario Provincial Police of the events of October 22. We're also waiting on the findings of the joint committee co-chaired by Senator White and Mr. Scheer, from the other place.

Honourable senators, after the terrorist attacks at *Charlie Hebdo* in Paris, I read an editorial in *Le Monde* entitled: "La tentation d'un « Patriot Act » à la française," about the temptation to enact a Patriot Act in France. Without going into detail, I want to share two sentences:

Nothing is worse for our laws than these times of intense unity and this wave of emotion that overcomes reason.

Exceptional measures taken in times of crisis are forever preserved in law. Little by little, these exceptional procedures take precedence over ordinary laws.

I'm not making an accusation. This is a call for calm. We all know why this motion is being debated today. An amendment to the motion has been moved. It's obvious. The attack of October 22 — whether you consider it a terrorist attack or not — is forcing us to take action to improve security on Parliament Hill. However, just because we have a good reason to take action doesn't mean that we should disregard the many reasons why our Parliament has fiercely preserved its independence and privileges throughout its history. I agree that security on Parliament Hill should be integrated.

Furthermore, honourable senators, we need to look at these new services from a linguistic perspective. After the events of October 22, the Commissioner of Official Languages said he was shocked that the Government Operations Centre, which comes under Public Safety Canada, drafted and sent out a letter setting out the lockdown measures in English only. I don't find that reassuring. Moreover, the RCMP unfortunately doesn't have the best record when it comes to respecting linguistic duality.

As you know, honourable senators, I believe in collaboration and I recognize that the basic objective of the motion is to improve security on the Hill. As the Honourable Serge Joyal so aptly stated, "By improving the security on the Hill, we maintain our parliamentary duty to exercise our responsibility freely, and that's what we all want to attain as an objective."

Today, we are discussing a motion that invites the RCMP to lead operational security throughout the Parliamentary Precinct and on the grounds of Parliament Hill. What will this do, other than once again deprive us of one of our parliamentary privileges?

Honourable senators, when our privileges are at stake, we have to be sure that we know the future implications of the decisions we make.

Since no study or in-depth analysis has been conducted, I have no choice but to oppose this motion, if it is not amended as recommended by the Honourable Senator Cowan. Thank you.

Senator Carignan: Senator, I listened to what you had to say and, like me, you seem convinced of the importance —

The Hon. the Speaker: Is this a question?

Senator Carignan: Yes. Like me, you seem convinced of the importance of having good coordination in operational planning and ensuring that everyone is communicating on the same networks in both official languages. We want to ensure that everyone who is affected by a lockdown measure can be reached. This is a good example of why coordination and communication are necessary.

You said that we need to continue to examine this issue. Don't you find it odd that every time there is an incident in Parliament that infringes upon parliamentary privileges — some examples include the incident where an individual lit sticks of dynamite in a

bathroom and they exploded in his face; the incident that occurred in 1989, when an armed man hijacked a bus and drove it onto Parliament Hill; when protestors climbed up onto the roof during a demonstration; the events involving a young page that happened right here in front of us and violated parliamentary privileges; and when a gunman entered the building on October 22, 2014 — we say that we need to examine the issue and that the solution is better coordination?

Wouldn't you agree that, sooner or later, we just have to take action? I know you are a teacher by training. Who is the better student: someone who studies for 30 years or someone who studies for three years, gets a degree and then gets down to business?

Senator Chaput: Thank you, senator, for your question. I am a woman of action, yes, but I also think it's important to strike a balance. I am not asking for new studies, but what I am saying is that right now we already have two studies under way that need to be completed. I would like to be able to wait until those studies are finished and look at their findings before making a decision, because that is our duty. This is about our responsibilities and Parliament's. I would like to take a little more time and have a look at the recommendations made to us in order to choose the best one. That is only right. I agree, as I said, but I am not convinced that what you are proposing is the best solution.

The Hon. the Speaker: Are there any other questions? On debate?

[English]

Senator McCoy: I would like to propose an amendment, but I'm not prepared to do so at this time. Therefore, I move the adjournment of the debate.

(On motion of Senator McCoy, debate adjourned.)

ALLOTMENT OF TIME—NOTICE OF MOTION

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I wish to advise the Senate that I was unable to reach an agreement with the Deputy Leader of the Opposition to allocate time on Government Motion No. 82. Therefore, I give notice that, at the next sitting of the Senate, I will move:

That, pursuant to rule 7-2, not more than a further six hours of debate be allocated for the consideration of motion No. 82 under "Government business", concerning security on Parliament Hill.

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of February 18, 2015, moved:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, February 24, 2015 at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

• (1550)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE TEMPORARY FOREIGN WORKERS PROGRAM—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Jaffer:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to:

Review the temporary foreign workers program and the possible abuse of the system through the hiring of foreign workers to replace qualified and available Canadian workers;

Review the criteria and procedure to application assessment and approval;

Review the criteria and procedure for compiling a labour market opinion;

Review the criteria and procedure for assessing qualifications of foreign workers;

Review interdepartmental procedures and responsibilities regarding foreign workers in Canada;

Provide recommendations to ensure that the program cannot be abused in any way that negatively affects Canadian workers; and

That the Committee submit its final report no later than March 31, 2015, and retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I had hoped to speak to this earlier but this subject gets more complex with every day that passes so I'm still working on my remarks. Therefore, I ask to adjourn the debate for the balance of my time.

(On motion of Senator Fraser, debate adjourned.)

THE SENATE

MOTION TO GRANT ASYLUM TO MS. ASIA BIBI AND HER FAMILY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion, as modified, of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Joyal, P.C.:

That, the Senate of Canada calls on the Government of Pakistan to immediately release Ms. Asia Bibi, a Christian woman who is being arbitrarily detained due to her religious beliefs;

That, the Senate of Canada declare its intention to request that Canada grant her and her family asylum, if she so requests; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

Hon. Percy Mockler: Honourable senators, I move adjournment of this motion in my name.

(On motion of Senator Mockler, debate adjourned.)

(The Senate adjourned until Tuesday, February 24, 2015, at 2 p.m.)

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