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(HANSARD)

Thursday, March 10, 2016

The Honourable GEORGE J. FUREY
Speaker

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THE SENATE

Thursday, March 10, 2016

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

Prayers.

[Translation]

SENATORS' STATEMENTS

THE HONOURABLE A. RAYNELL ANDREYCHUK

CONGRATULATIONS ON YWCA REGINA WOMEN OF DISTINCTION LIFETIME ACHIEVEMENT AWARD

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, today I would like to pay tribute to a remarkable senator, a colleague who has been recognized for the excellent work she has done over the past four decades. She brings honour to this house and is most deserving of our gratitude and admiration.

[English]

A woman of influence, a woman of exceptional accomplishment, a woman of exemplary character and a woman of endurance were the criteria for the YWCA Regina's Women of Distinction Lifetime Achievement Award. Senator Raynell Andreychuk was named the recipient. The YWCA news release said:

Senator Andreychuk's distinguished 40-year career as lawyer, judge, diplomat, and Senator has demonstrated exceptional dedication to promoting freedom, democracy and human rights throughout the world.

They called her "an aspiring model of principled leadership."

[Translation]

This senator was appointed a judge of the Saskatchewan Provincial Court and set up a family court in Regina before I was even in high school.

Senator Andreychuk was appointed High Commissioner to Kenya, Uganda, Somalia and the Comoros, off the south-east coast of Africa. She then became the Ambassador to Portugal. She knows what's going on in the world, she knows how people live, and it is important to her to share that with us. That is why chairing the Standing Committee on Foreign Affairs and International Trade is such a perfect fit for her and enables her to play an essential role.

Why did Senator Andreychuk leave such a promising career to join us here in the upper house? I think it's because she realized that she could make an exceptional contribution. She has done

extraordinary work since her appointment, which explains why the first Saskatchewan woman appointed to the Senate chose to work with us for over two decades.

[English]

She has discussed difficult subjects — rape and starvation used as weapons of war, used to dehumanize people. She called on Iran to release thousands of prisoners of conscience who have political or religious views not tolerated by their own governments. She has even been banned from entering Russia over her defence of Ukraine — one of only 13 Canadians on such a list. She is a person of conviction who inspires purpose and action in others.

[Translation]

The senator played a key role in establishing the Standing Senate Committee on Human Rights, which she chaired from 2001 to 2009 and where she led important studies such as the study on the Convention on the Rights of the Child.

Senator Andreychuk had this to say about the United Nations Universal Declaration of Human Rights, and I quote:

... human rights remain a distant aspiration for girls forced into marriage, for boys forced into labour, for religious minorities and political prisoners, for ethnic minorities, for LGBT communities and so many more.

It is unfortunate, but she is right.

Senator Andreychuk was appointed Canada's permanent representative to three United Nations organizations.

[English]

The inalienable rights of all members of the human family are the foundation of freedom, justice and peace in the world, she has reminded us.

She has been bestowed with many honours over her life, several linked to her unwavering and determined human rights work for the people of Ukraine, honouring her own Ukrainian heritage. The woman is a humanitarian machine.

As we tell her how much we value her, she's told us how much she values us back, through her work and through her words. "I cherish any institution in a democracy, no matter how old it is," she once told a journalist who was asking about the relevance of the Senate.

Senator Andreychuk will be presented with the YWCA Regina's Women of Distinction for Lifetime Achievement Award at a gala on April 28.

[Translation]

Please accept our congratulations, Senator Andreychuk, for a well-deserved honour. We are very proud of you.

Hon. Senators: Hear, hear!

[English]

TIBETAN NATIONAL UPRISING DAY

FIFTY-SEVENTH ANNIVERSARY

Hon. Mobina S. B. Jaffer: Honourable senators, March 10 this year marks the fifty-seventh anniversary of the Tibetan people's national day of uprising in 1959. For over five decades, Tibetans have strictly adhered to the path of non-violence under the leadership of His Holiness the Dalai Lama.

Since early 1980, His Holiness has called on the Chinese leadership for a mutually acceptable solution to his middle-path proposal of not seeking independence. In 1989, His Holiness was awarded the Nobel Peace Prize. The citation read:

In the opinion of the Committee the Dalai Lama has come forward with constructive and forward-looking proposals for the solution of international conflicts, human rights issues, and global environmental problems.

Honourable senators, in 2006, His Holiness was awarded an honorary Canadian citizenship in recognition of his leadership for resolution of conflicts through peace, non-violence and reconciliation. Regrettably, there has been no positive response from the Chinese leadership until now. In the meantime, the human rights situation in Tibet has been worsening according to the UN and other international human rights organizations.

As a result, since 2009, over 143 Tibetans in Tibet have made the ultimate non-violent sacrifice of self-emulation to highlight the suffering. On this occasion of the fifty-seventh anniversary, we commend the Tibetan people for their peaceful and non-violent stand, and we call on the Chinese leadership to end the current policy of repression and engage in dialogue with His Holiness or representatives for a mutually beneficial and acceptable solution.

• (1340)

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of members of the Gwich'in Regional Youth Council. They are the guests of the Honourable Senator Dyck and the Honourable Senator Sibbeston.

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

Hon. Senators: Hear, hear!

GWICH'IN REGIONAL YOUTH COUNCIL

Hon. Nick G. Sibbeston: Honourable senators, I rise today to give acknowledgment to the Gwich'in Regional Youth Council, located in the Gwich'in Settlement Region of the Northwest Territories.

Fifteen youth from their communities are participating in an academic conference in Ottawa this week. The Gwich'in Regional Youth Council's mandate is to build leadership skills and solidarity among youth from inside and outside of the four Gwich'in communities: Aklavik, Inuvik, Fort Mepherston and Tsiigehtchic.

The Gwich'in Regional Youth Council is committed to building healthier relationships, open communication and partnerships in order to support capacity building and healthier lifestyles for our youth. Additionally, the Gwich'in Tribal Council has partnered with Carleton University to create an academic conference that brought down 15 Gwich'in youth to Carleton University in Ottawa this week from March 7 to 11 to encourage them to pursue a post-secondary education.

I would like to congratulate the Gwich'in Tribal Council, the 15 Gwich'in youth participants, and their partners at Carleton University and Nunavut Sivuniksavut for engaging our young people in such an important initiative to build stronger bonds with the youth in the North and the people of Canada.

Mahsi' Choo.

An Hon. Senator: Bravo.

[Translation]

CBC/RADIO-CANADA

RESPECT FOR OFFICIAL LANGUAGES

Hon. Percy Mockler: Honourable senators, I want to congratulate Michel Doucet as well as the 120 signatories and communities in the great Acadian region of New Brunswick for sending a letter to Mr. Fenlon, Director of Digital News at CBC. Freedom of expression is a very important right in Canada, but there are limits.

Honourable senators, it is totally unacceptable that certain individuals are posting hateful and derogatory comments toward the francophone community in our province on CBC New Brunswick's website. This is a forum provided by the CBC, a crown corporation. To not take these comments seriously is to engage in willful blindness. This has nothing to do with freedom of expression. This type of behaviour is more akin to bullying, hate, intolerance, and disrespect towards the francophone minority in Acadia, a vibrant people.

As a parliamentarian from Acadia, I find the repeated expression of such comments on CBC's website unacceptable and troubling enough to warrant an immediate response.

Honourable senators, I urge Hubert Lacroix, President and CEO of CBC/Radio-Canada, to immediately take note of this sorry situation and take corrective action.

We must hold a more respectful discussion about Canada's two linguistic communities and our two founding peoples. Moreover, there is no doubt in my mind and I firmly believe that the Senate Committee on Official Languages also needs to take note of this.

In closing, honourable senators, the Canadian Charter of Rights and Freedoms is the cornerstone of what we are as a great Canadian democracy. We have the right to express ourselves freely and to take part fully in debates on public decisions and opinion. However, we do not have the right to demean a founding people, like the Acadians.

Hon. Senators: Hear, hear!

[English]

PAKISTAN

GIRLS' EDUCATION

Hon. Salma Ataullahjan: Honourable senators, Adelaide Hoodless, a 19th century education reformer, once said: "Educate a girl and you educate a community." It is in this spirit and as a means of highlighting the immeasurable importance of girls' education that the High Commission of Canada in Pakistan and the United Nations Children's Fund organized an art competition at three schools of Peshawar, Khyber Pakhtunkhwa province in Pakistan, asking 90 students ranging from primary to grade 12 to express themselves via artwork on the theme of investing in girls' education for a brighter future.

I accompanied Canada's High Commissioner to Pakistan, Heather Cruden, to Peshawar for the prize distribution ceremony, where we met with students from three schools and awarded prizes of books, not only to the students but also to principals and teachers of the schools. We also had the opportunity to visit with girls in the classroom. When the girls asked why we were there, I was able to tell them in my native tongue of Pashto that we were there to support girls' education.

The students had been provided with colour pencils and paints, as well as the freedom to express their thoughts on the empowerment of girls and boys through their drawings. The winning students' artwork is featured in a beautiful calendar entitled *Educating Girls for a Brighter Future*, which was collaboratively created by the High Commission of Canada in Pakistan and UNICEF.

I would like to acknowledge the efforts of the High Commission of Canada in Pakistan and thank High Commissioner Cruden for organizing the visit. I also wish to applaud her for taking the time to travel to Peshawar, especially in light of security issues, and for supporting the important issue of girls' education.

Hon. Senators: Hear, hear!

[Senator Mockler]

INDEPENDENT NON-PARTISAN SENATORS

Hon. John D. Wallace: Honourable senators, Diane Bellemare, Jacques Demers, Elaine McCoy, Pierette Ringuette, Michel Rivard and I announced today, March 10, 2016, that we are forming an initial working group of independent, non-partisan senators. The objective is to promote a properly functioning independent, non-partisan Senate.

Rules, practices and voting patterns in the Senate have always followed along partisan political lines.

As they stand, the *Rules of the Senate* explicitly require recognized party participation and do not allow for groups to organize formally in an independent, non-partisan fashion.

Partisanship that has been blindly one-sided and lacked impartiality has seriously eroded the credibility and reputation of the Senate.

This must change, as must all existing archaic rules and practices that support this type of partisanship in the Senate and which do not accommodate the requirement of an independent chamber of sober second thought.

The members of this working group are committed to, number one, carrying out their Senate duties and obligations, including their review and revisions to legislation received from the House of Commons, on an entirely independent, non-partisan basis, as was originally intended by the Founders of Confederation; number two, ensuring rights of equality for all senators in the performance of their diverse Senate duties, regardless of their political or non-political affiliation; and, number three, restoring the reputation of and public confidence in the Senate as a necessary and vital institution within our Canadian parliamentary system.

The status quo is clearly not acceptable to the general public, nor should it be to any of us as members of the Senate.

Members of this independent, non-partisan working group will work diligently to bring about the required changes to the existing Senate Rules and practices.

The credibility and integrity of the Senate require nothing less.

• (1350)

ROUTINE PROCEEDINGS

CANADIAN HUMAN RIGHTS COMMISSION

2015 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, pursuant to section 61 of the Canadian Human Rights Act and section 32 of the Employment Equity Act, I have the honour to table, in both official languages, the 2015 Annual Report of the Canadian Human Rights Commission.

DECLARATION OF QUALIFICATION OF SENATORS

REPORT TABLED

The Hon. the Speaker: Honourable senators, pursuant to rule 15-6, I have the honour to table the report of the Clerk of the Senate of the list of the names of members of the Senate who have renewed their Declaration of Qualification.

BANKING, TRADE AND COMMERCE

BUDGET AND AUTHORIZATION TO ENGAGE
SERVICES AND TRAVEL—STUDY ON ISSUES
PERTAINING TO INTERNAL BARRIERS
TO TRADE—SECOND REPORT OF
COMMITTEE PRESENTED

Hon. David Tkachuk, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, March 10, 2016

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

SECOND REPORT

Your committee, which was authorized by the Senate on Tuesday, February 16, 2016, to study the issues pertaining to internal barriers to trade, respectfully requests funds for the fiscal year ending March 31, 2017, and requests, for the purpose of such study, that it be empowered:

- (a) to engage the services of such counsel, technical, clerical and other personnel as may be necessary;
- (b) to adjourn from place to place within Canada; and
- (c) to travel inside Canada.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the 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,

DAVID TKACHUK
Chair

(For text of budget, see today's Journals of the Senate, Appendix A, p. 248.)

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

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

NATIONAL SEAL PRODUCTS DAY BILL

SECOND REPORT OF FISHERIES AND
OCEANS COMMITTEE PRESENTED

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

Thursday, March 10, 2016

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

SECOND REPORT

Your committee, to which was referred Bill S-208, An Act respecting National Seal Products Day, has, in obedience to the order of reference of February 23, 2016, examined the said bill and now reports the same with the following amendment:

1. *Preamble, pages 1 and 2:* Replace the word "Aboriginal" with the word "Indigenous" in four instances in the English version of the bill.

Respectfully submitted,

FABIAN MANNING
Chair

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

SECOND REPORT OF HUMAN RIGHTS
COMMITTEE PRESENTED

Hon. Jim Munson, Chair of the Standing Senate Committee on Human Rights, presented the following report:

Thursday, March 10, 2016

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

SECOND 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 January 27, 2016,

examined the said bill and now reports the same with the following amendments:

1. *Clause 5, page 2:* Replace line 25 with the following:

“individual to collect, use or disclose the results of a”.
2. *Clause 10, page 6:* Replace lines 35 to 40 with the following:

“(3) Where the ground of discrimination is refusal of a request to undergo a genetic test or to disclose, or authorize the disclosure of, the results of a genetic test, the discrimination shall be deemed to be on the ground of genetic characteristics.”.
3. *Delete clause 11, page 7.*
4. *Delete clause 12, page 7.*
5. *Delete clause 13, page 7.*
6. *Make any necessary consequential changes to the numbering of provisions and cross-references resulting from the amendments to the bill.*

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

Respectfully submitted,

JIM MUNSON
Chair

(For text of observations, see today's Journals of the Senate, Appendix B, p. 258.)

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

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

CONSTITUTION ACT, 1867

BILL TO AMEND—FIRST READING

Hon. Dennis Glen Patterson introduced Bill S-221, An Act to amend the Constitution Act, 1867 (Property qualifications of Senators.)

(Bill read first time.)

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

(On motion of Senator Patterson, bill placed on the Orders of the Day for second reading two days hence.)

THE SENATE

NOTICE OF MOTION TO INVITE THE GOVERNMENT TO MARK THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF CONFEDERATION BY STRIKING A COMMEMORATIVE MEDAL TO RECOGNIZE THE INESTIMABLE CONTRIBUTION MADE BY ABORIGINAL PEOPLES TO THE EMERGENCE OF A BETTER CANADA

Hon. Serge Joyal: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

The Senate invite the Government of Canada to mark the 150th anniversary of Confederation by striking a commemorative medal which, with the traditional symbols of Canada, would recognize the inestimable contribution made by aboriginal peoples to the emergence of a better Canada; and

That this medal be distributed, among others, to those persons who contributed to improving the living conditions of all Canadians in a significant manner over the last 50 years.

NOTICE OF MOTION TO RESOLVE THAT AN AMENDMENT TO THE REAL PROPERTY QUALIFICATIONS OF SENATORS IN THE CONSTITUTION ACT, 1867 BE AUTHORIZED TO BE MADE BY PROCLAMATION ISSUED BY THE GOVERNOR GENERAL

Hon. Dennis Glen Patterson: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

Whereas the Senate provides representation for groups that are often underrepresented in Parliament, such as Aboriginal peoples, visible minorities and women;

Whereas paragraph (3) of section 23 of the *Constitution Act, 1867* requires that, in order to be qualified for appointment to and to maintain a place in the Senate, a person must own land with a net worth of at least four thousand dollars in the province for which he or she is appointed;

Whereas a person's personal circumstances or the availability of real property in a particular location may prevent him or her from owning the required property;

Whereas appointment to the Senate should not be restricted to those who own real property of a minimum net worth;

Whereas the existing real property qualification is inconsistent with the democratic values of modern Canadian society and is no longer an appropriate or relevant measure of the fitness of a person to serve in the Senate;

Whereas, in the case of Quebec, each of the twenty-four Senators representing the province must be appointed for and must have either their real property qualification in or be resident of a specified Electoral Division;

Whereas an amendment to the Constitution of Canada in relation to any provision that applies to one or more, but not all, provinces may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province to which the amendment applies;

Whereas the Supreme Court of Canada has determined that a full repeal of paragraph (3) of section 23 of the *Constitution Act, 1867*, respecting the real property qualification of Senators, would require a resolution of the Quebec National Assembly pursuant to section 43 of the *Constitution Act, 1982*;

Now, therefore, the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by His Excellency the Governor General under the Great Seal of Canada in accordance with the Schedule hereto.

SCHEDULE

AMENDMENT TO THE CONSTITUTION OF CANADA

1. (1) Paragraph (3) of section 23 of the *Constitution Act, 1867* is repealed.

(2) Section 23 of the Act is amended by replacing the semi-colon at the end of paragraph (5) with a period and by repealing paragraph (6).

2. The Declaration of Qualification set out in The Fifth Schedule to the Act is replaced by the following:

I, *A.B.*, do declare and testify that I am by law duly qualified to be appointed a member of the Senate of Canada.

3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation]* (Real property qualification of Senators).

• (1400)

[Translation]

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON MARCH 23, 2016

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Wednesday, March 23, 2016, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

[English]

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY OPPORTUNITIES FOR STRENGTHENING COOPERATION WITH MEXICO SINCE THE TABLING OF THE COMMITTEE REPORT ENTITLED *NORTH AMERICAN NEIGHBOURS: MAXIMIZING OPPORTUNITIES AND STRENGTHENING COOPERATION FOR A MORE PROSPEROUS FUTURE*

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine and report on opportunities for strengthening cooperation with Mexico since the tabling, in June 2015, of the committee report entitled “North American Neighbours: Maximizing Opportunities and Strengthening Cooperation for a more Prosperous Future”; and

That the committee submit its final report no later than March 31, 2017.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY RECENT POLITICAL AND ECONOMIC DEVELOPMENTS IN ARGENTINA IN THE CONTEXT OF THEIR POTENTIAL IMPACT ON REGIONAL AND GLOBAL DYNAMICS AND REFER PAPERS AND EVIDENCE FROM STUDY ON FOREIGN RELATIONS AND INTERNATIONAL TRADE GENERALLY DURING THE FIRST SESSION OF THE FORTY-SECOND PARLIAMENT TO CURRENT SESSION

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine and report on recent political and economic developments in Argentina in the context of their potential impact on regional and global dynamics, including on Canadian policy and interests, and other related matters;

That the papers and evidence received and taken and work accomplished by the committee during the First Session of the Forty-second Parliament, as part of its study on foreign relations and international trade generally, as

authorized by the Senate on January 27, 2016, form part of the papers and evidence received and taken for the purposes of this study; and

That the committee submit its final report no later than May 31, 2017 and that it retain all powers necessary to publicize its findings for 180 days after the tabling of the final report.

QUESTION PERIOD

AGRICULTURE AND FORESTRY

BUSINESS OF THE COMMITTEE

Hon. George Baker: Honourable senators, I rise to ask a question under rule 4-8(1) without notice to a committee chair. I want to ask two questions to the Chair of the Agriculture and Forestry Committee. I'll use the preamble, as usual, of mentioning that our Senate committees are quoted three times more than Commons committees are by our courts. I note that it is interesting with the Agriculture Committee that in an appeal allowing a judicial review of a case called *Chopra v. Canada*, with citation 451 FTR 172, the federal court judge mentions the Standing Senate Committee on Agriculture and Forestry many times throughout that judgment. At paragraph 207, he even quotes the Deputy Minister of Health, who appeared before the committee and sent a message to all employees of the Department of Health saying that, "During my testimony to the Standing Senate Committee on Agriculture and Forestry, I received a comment from a senator that I'd like to share with you" Then he goes on. This is in a court judgment. It's not just the questions that are asked and the responses, but sometimes we have quotes in case law by deputy ministers and departmental officials concerning conversations with senators.

In light of that, I'd like to ask the Chair of the Standing Senate Committee on Agriculture and Forestry to bring us up to date on what the committee has been doing since this session opened and what the main issues are, what the main activity of the committee is. Then I'd like to ask a supplementary as to their future operations.

[Translation]

Hon. Ghislain Maltais: Senator, it is an honour for me to be asked a question by such a seasoned senator as yourself. There is no doubt that you have a lot more experience than the rest of us here. As you know, when a question is asked in the chamber, it is because we already know the answer. I am pleased to tell you about the work that we have done in the past and the work that we are currently doing.

Before I do that, however, I would like to make a comment if I may. I am the new chair of the Standing Senate Committee on Agriculture and Forestry, but another senator before me, the

Honourable Percy Mockler from New Brunswick, chaired the committee for four years with extraordinary tact and dignity.

I think that all members of the Agriculture Committee, past and present, would agree that Senator Mockler did an excellent job. We are very grateful for his service to Canadians.

With regard to our work, we have begun to carry out the mandate the Senate has given us and we are holding hearings. Taking over from Senator Percy Mockler isn't necessarily easy, but thanks to the excellent members who sit on the committee, who have no political allegiance and are non-partisan, I think we will do a fine job.

The committee members are dedicated. We have already received witnesses and have begun a study this year to follow through on the mandate the Senate has given us. Our mandate is to study the following: the expectations and concerns of stakeholders from the Canadian agriculture and agri-food sector; sustainable improvements to the production capabilities of the supply chain — a very important issue; diversity, food security and traceability; and the competitiveness and profitability of Canada's agriculture and agri-food sector. These issues are all very important to Canadian farmers.

• (1410)

In committee, we all decided that the best way to fulfill this mandate was to get closer to those who work in the field, who raise the chickens, who collect the eggs, who plant the potatoes, who raise the beef and who sow the seeds. These people are the ones who are important to the committee, simply because they earn every dollar by the sweat of their brow. We want to hear from farmers about access to international markets and we want to hear about what they will do in the future. What changes will they have to make on their farms to be internationally competitive? What will the TPP market mean to them? What will the Canada-Europe agreement mean to them? What will access to the Chinese market mean to them? Of course, large companies have already said that everything is fine. However, what will the people who work the land have to do, and how do they plan on doing it? That's what we want to know.

I think the members of the committee will be pleased to send our recommendations to the Minister of Agriculture, who will then make the appropriate decisions, always keeping in mind that the people who do the actual work of farming are the ones who know what is really going on.

[English]

Senator Baker: Honourable senators, I should note that other members of the committee, apart from Senator Maltais, the chair, are Senator Mercer, Senator Beyak, Senator Dagenais, Senator McIntyre, Senator Merchant, Senator Moore, Senator Ogilvie, Senator Oh, Senator Plett, Senator Tardif and Senator Unger.

I note, Your Honour, that, while Parliament will not be sitting next week, this committee, as I understand starting Sunday, will be going to the province of New Brunswick for hearings. Bravo. That is dedication.

[Senator Andreychuk]

I'd like to ask the chair of the committee what the main subjects are that the committee hopes to investigate and gain evidence from on this trip which begins on Sunday and lasts until Tuesday of next week.

[Translation]

Senator Maltais: Honourable senators, the Agriculture and Forestry Committee embodies the Canadian mosaic. There are senators from almost every province. These senators are very dedicated.

What will we be doing in Moncton?

First, I want to say that the committee members have agreed to reduce expenses because they know that every dollar spent is a farmer's hard-earned dollar. All senators have agreed to travel in economy class. We have talked with the organizations that will be providing services to us there. Travel costs will be substantially lower than expected.

In the Maritimes, the following subjects will be on the agenda. First, we will meet with senior officials including Prince Edward Island's Minister of Agriculture, Newfoundland and Labrador's Deputy Minister of Agriculture, Nova Scotia's Deputy Minister of Agriculture, and New Brunswick's Deputy Minister of Agriculture to discuss local issues. Then we will meet with potato, egg and blueberry producers, whose business in Nova Scotia and New Brunswick is growing. I'm talking about wild blueberries, not the cultivated ones we get from South America and California.

We will also visit farms to talk about how tomorrow's farmers can leave their land to their children. As you may know, that is a major problem now. We are not talking about small farms worth \$15,000 or \$20,000. We're talking about multi-million-dollar farms. Farmers are very worried. If we, as a country, do not find a way for parents to transfer their farm to their children, agriculture will be in the hands of big business. We will lose our passion for agriculture if we don't make room for families. That's one of the committee's goals.

We will also meet lumber producers because we are also talking about forests. They are struggling with international markets too. We have to listen to them and find out how they see the future.

Senator Baker, upon our return we will be pleased to tell you about these visits. Those three and a half days will be quite busy. While we are in Moncton, we will visit the Centre de recherche sur les aliments in order to meet the researchers and see what has been done to plan for the farming of the future.

[English]

TRANS-PACIFIC PARTNERSHIP

Hon. Pana Merchant: Honourable senators, I would like to follow along on the questions asked by Senator Baker of the Chair of the Agriculture Committee. As you heard, I'm a member of that committee and I know very well that Senator Maltais is a

capable chair and a very demanding taskmaster. You heard that we will be travelling next week while the Senate is not sitting.

I have a question, senator, and this has to do with supply-side agricultural issues and the TPP. In conversations with Western Canadians, and indeed with members of this chamber and people in the other place, and as we heard in our committee in the last few days — we heard from the Canadian Canola Growers Association, Pulse Canada and the Canola Council of Canada on Tuesday — many of our witnesses thought that we were going to agree with and be part of the TPP.

We always assume that the next U.S. president will be prepared to sign the TPP, but the possibility of Donald Trump or Bernie Sanders becoming president — both isolationists in their own ways and espousing anti-trade views — could lead to possible rejection or at least attempts by moderates in the Democratic and Republican parties to renegotiate the agreement.

With United States politics changing dramatically before our eyes, and especially in the last two weeks, is it possible that the Agriculture Committee might help decision makers in the other place by quickly undertaking a consideration of the overall benefits of the TPP and possible areas for negotiated improvements from Canada's perspective? It appears very possible, if not probable, that the United States will seek changes to the TPP because of the difficulties of passage before November and the probabilities of a changed viewpoint post-November.

[Translation]

Hon. Ghislain Maltais: Honourable senator, I would like to thank you for raising this very important issue. You are right, all the witnesses who appeared before the Agriculture and Forestry Committee, whether from western Canada or from Quebec or Ontario, agree that Canada should sign the Trans-Pacific Partnership. Even the most resistant parties in Quebec, the dairy producers, told us this morning that we should hurry up and sign, that we must not delay, that we have allayed their concerns and that they are ready to get to work. You are right to say that this is urgent because other countries could overtake us.

• (1420)

If the Americans decide not to participate, that is their right; we will not get involved in American politics. Far from it. However, as a committee, we represent Canada's farming population. As part of our mandate and in our final report, we will certainly ask the Canadian government and our Prime Minister to sign this agreement as quickly as possible, in order to finally open up new markets for our Canadian farmers, especially our grain farmers. I am glad you raised this point. Pulse Canada told us that this agreement is very important to them. Grain farmers of Ontario and Quebec came to tell us that they are anxiously waiting for this agreement. This will definitely be one of our main recommendations, and I hope that we will not have to make it because, in the meantime, the agreement will have been signed. Thank you.

[English]

ORDERS OF THE DAY

STUDY ON THE INCREASING INCIDENCE OF OBESITY

SECOND REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE AND REQUEST FOR GOVERNMENT RESPONSE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Ogilvie, seconded by the Honourable Senator Eggleton, P.C.:

That the second report of the Standing Senate Committee on Social Affairs, Science and Technology, tabled with the Clerk of the Senate on Tuesday, March 1, 2016, be adopted and that, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the government, with the Minister of Health being identified as minister responsible for responding to the report, in consultation with the Minister of Indigenous and Northern Affairs.

Hon. Art Eggleton: Honourable senators, I am delighted to be able to rise, having seconded the motion that Senator Ogilvie placed yesterday for the adoption of this report.

This report marks a milestone in terms of communications, because it's a report that many people have already heard of on the subject of obesity. I will cover a few of the points in the report to supplement and complement what Senator Ogilvie said yesterday.

The first thing he did yesterday was to thank various people who have been instrumental in getting this report to its complete stage. Without naming all of those people, I certainly agree with him and echo those sentiments, but I want to add one more, and that is to thank Senator Kelvin Ogilvie for his leadership of the committee. He ensures the committee gets the right evidence before it so that it can make sensible, evidence-based decisions on the recommendations it will make. I pay tribute to him as well in that regard.

I also want to point out that in the time that he and I have served as chair and deputy chair — actually, before that it was the other way around, so you had that time as well — all of the reports that we have come out with have been dealt with in the same kind of diligence and attention to detail and evidence that gives a great deal of credit to the committee and to this Senate Chamber.

I'm very pleased to say that all the reports on studies that we have done have been unanimously adopted by the committee, and I think that says an awful lot for how we can work together to produce some very good policy initiatives, policy possibilities for the government of this country either past, present or future to be able to adopt and well serve the people of Canada, and this is one of them.

Until we got into this subject, I had not realized just how serious it was. We know of obesity existing, but its climb in the last few years is staggering. This is really a very serious health issue in our country. It not only affects the lives of many people by deteriorating their standard of living and quality of life, but it can cost them their lives because it leads to diseases such as Type 2 diabetes, cancer and heart disease.

These kinds of afflictions are taking a great toll on a great many people. It does take a toll on every one of us, because we know people who are suffering from those ailments.

We know people who find it a challenge to deal with obesity. It is particularly a challenge not only for the individual but for society in general. The kind of culture or obesogenic situation that we find ourselves in today is a problem for society as a whole. It needs to be dealt with in that way, and the 21 recommendations we came up with in our report attempt to do that.

When you look at the fact that since 1980 we have seen a doubling of the number of adults who suffer from obesity, and you add to that the people who are overweight, you're talking the majority of the population. That's staggering. Then you look at children, and you see that it's increased three times since 1980.

We listened to different organizations such as the Heart & Stroke Foundation, the Canadian Diabetes Association, the Canadian Cancer Society and many others that have developed a great deal of expertise and knowledge in these areas. We listened to the medical professionals, researchers and experts.

One of the great things we have in our committees is the ability to draw upon some of the greatest expertise that exists not only in this country but internationally. We draw on all of that, and it's from there that we make recommendations.

These recommendations are not made lightly and are not in any way exaggerated or distorted. They are based on very sound evidence that we have received.

• (1430)

Those kinds of statistics, 25 per cent obese adults, 13 per cent obese children, twice as many adults and three times as many children as in 1980, are staggering. Even more staggering is what's happening in the Aboriginal community, where 35 per cent of adults are obese. What is so shocking is that 62 per cent of the children are obese — 62 per cent — it's unreal. That is absolutely staggering. Since 1980, those developing diabetes number three to five times more than before 1980 and this is a very serious illness.

Obesity is affecting us not only in terms of the people we know, family and friends, but also in terms of the whole country financially. Obesity is costing billions of dollars, estimated somewhere between \$4.5 billion and \$7 billion a year, in so many different ways directly and indirectly.

In our recommendations, we call for a national campaign to combat obesity. Senator Ogilvie mentioned this yesterday as being our first recommendation. We need to bring all of the stakeholders together to develop this initiative. It needs to be led at the federal level and needs to be a program maybe not

unlike, in some respects, the antismoking campaign that we had. I say that in the context of the kind of focus and concentration that we put on the issue. It still took several years for that to show the results we wanted. And this may take some time as well. But let's get into it now by having measurements. Let's look at the goals, the timetables and the ways of measuring how we are moving along with combating obesity in this country.

Later in the report we have a number of other recommendations, and I won't highlight them all, but I will mention the food guide. The food guide in places like the United States is updated every five years. We haven't updated ours since 2007. The previous guide was issued in 1993, an even longer period of time. It has been a long time since the food guide has been updated. The thinking around this and the evidence are changing, such as attitudes toward or lack of evidence of the impact of fat. For example, not all fats are bad. Certainly, in the kind of food guide that exists today it leads to more people avoiding most fat of any kind and substituting with carbohydrates, yet many carbohydrates are facilitating the problem.

The biggest thing with the food guide is bringing highly processed foods to the attention of people. That's where much of the danger exists in terms of sugar, fat and salt. We need to move away from some of them. And it's up to the public because they have to decide. The kind of information we give them in a guide will be very important. The food guide is one of the most popular documents that the government has, so let's make sure that it helps to give people the kind of information they should have.

Getting away from highly processed foods is one thing. Brazil recently issued a remake of its guide. Very early on, it talks about avoiding highly processed foods and opting for more whole and natural foods. It also talks about what you would put on a plate at dinner. Our guide talks more about nutrients than about meals, but people eat meals not nutrients. So let's talk about meals. The United States may update every five years, and their guide now talks about "my plate." It gets into a language and a description of the kinds of foods that will lead to a healthier lifestyle as well as the kinds of foods to try to avoid as much as possible in terms of an unhealthy lifestyle.

We also called for a ban on the advertising of sugary drinks for children. As Senator Ogilvie pointed out so correctly, this is a very vulnerable population. Many ads for products containing unhealthy substances are being marketed to children. We suggest that the government look at the possibility of regulation on the basis of what is already happening in Quebec. Quebec banned such advertising for children and do you know what? Quebec has the lowest rate of obesity in children between the ages of 3 and 11 across the country. What does that tell you? That tells you there is something to be said about banning such advertising directed at children. Don't swallow the idea that the industry will do this voluntarily. They have had a chance to do it and it's not working.

The most controversial element is the tax. Tax is worse than a four-letter word in some countries, including this one. In this case, we're talking about a tax on sugar-sweetened beverages. Do you know that a can of pop has the equivalent of 10 teaspoons of sugar? Imagine that. That's pretty hard on the system. If you have one can of pop a day, that would be your sugar for the day. Of

course, there are so many other products, including highly processed foods, that have sugar in them that you'll likely get a lot more than just what you get from consuming one can of pop.

We are not suggesting a tax grab by the government. We're suggesting that maybe it should be offset by some tax reductions. Where would you do that? Well, let me tell you one thing: If you go to a grocery store and buy a tomato, a cabbage, a head of lettuce and all the other ingredients to make a salad, all those products are called "basic groceries," which are not taxable. There's no HST or GST on those. But right beside those basics, there's a little plastic container with a salad already put together with the same ingredients and you pay tax on it. Now that's crazy because you shouldn't have to pay tax on a healthy food product.

Then you walk a couple of aisles over to the cereal boxes, which are loaded with sugar and salt. You don't pay tax on those because they're basic groceries. There's an imbalance between what is healthy and taxed and what is not healthy and not taxed. Any revenue we might get from the sugary drinks could be used to offset that and cancel those taxes on healthy foods. No government treasury is going to benefit from it if they follow our suggestion, but the public will obviously be better off by having healthier foods at a cheaper price than the unhealthy foods. It won't stop anybody from continuing to have the product, just like you can't stop anybody from smoking, but people may think twice about it, particularly before giving it to their children.

Those are some of the recommendations. Nutrition labeling needs to be improved as many labels are very confusing. Perhaps we could use front-of-package labeling or use a red-light/green-light system on labels like they do in Sweden and the U.K. to indicate the sugar, fat and salt contents. For example, the green light indicates that the amounts are safe and healthy for you.

As I said, all in all there are some 21 recommendations. I commend the report to you. Certainly, the feedback I have received from all the public exposure under our new communications plan has been very positive. Remember, even recommendations like a sugary-drink tax have been supported by major organizations such as the Heart & Stroke Foundation, the Diabetes Association and others. Witnesses from some of the medical professions who came before us think this is needed because it is a major part of the problem.

I hope we will adopt this report and that the government will implement it. We will be looking for them to report back, as is required by the resolution, and we hope they will take action, because this will help many Canadians to lead healthier, longer lives.

• (1440)

Hon. Senators: Hear, hear!

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

Senator Martin: Question.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

PHYSICIAN-ASSISTED DYING

FIRST REPORT OF SPECIAL JOINT COMMITTEE— DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the first report of the Special Joint Committee on Physician-Assisted Dying, entitled *Medical Assistance in Dying: A Patient-Centred Approach*, deposited with the Clerk of the Senate on February 25, 2016.

Hon. James S. Cowan (Leader of the Senate Liberals): Colleagues, I would like to add a few words to those of Senator Ogilvie yesterday. I don't propose to focus on the substance of the recommendations today. As mandated by this chamber, those recommendations were on a framework for a federal response to physician-assisted dying. In other words, and most unusually, they were recommendations from the committee directly to the government. We invite other colleagues to speak to the substance of the issue later, when the expected government bill arrives in this chamber.

But I did want to take this opportunity to speak briefly about the process that led to this report. As colleagues know, this was a report of a special joint committee, composed of members of this chamber and of the House of Commons. It has been close to 20 years since the last special joint committee of Parliament.

It is understandable that this is a rarely used vehicle — the Senate was deliberately established as a chamber of sober second thought, after all. But colleagues, I think everyone on the committee was impressed with how very well it worked for this important and challenging assignment.

I want to thank all members of the committee for the diligence with which they approached their work, but most especially my other Senate colleagues: Senators Joyal, Nancy Ruth, Seidman and of course Senator Ogilvie, because much of the credit goes to the co-chairs, Rob Oliphant and our colleague, Senator Ogilvie.

Senator Joyal: Hear, hear.

Senator Cowan: They were given a very difficult task. Few issues elicit as strong, impassioned and deeply held convictions across the full spectrum of opinions and issues as does the question of physician-assisted dying.

Furthermore, the timetable given to the committee was necessarily extremely tight. Our co-chairs managed to develop a work plan that, while intense, provided an opportunity for a full range of views to be heard on all the issues that committee members together agreed needed to be considered. I emphasize

that: The issues to be considered were ones that were agreed to by all members of the committee. We didn't all agree on the recommendations with respect to those issues, but we all agreed, under the guidance of our co-chairs, as to the issues the committee needed to consider.

This was an impressive accomplishment. As Senator Ogilvie mentioned yesterday, the committee held 16 meetings and heard 61 witnesses. In addition, the committee received over 100 written submissions. The quality of the submissions and the representations was, in my view, superb. Canadians came forward as individuals and as representatives of a wide range of organizations, from faith-based organizations to diverse healthcare practitioners, to legal and constitutional experts, to advocacy groups.

While it was unfortunate that the time had to be strictly limited — and I'm sure some witnesses felt they needed more time than they were accorded — I believe that each was given a fair opportunity to present their views. As a committee member, I felt well-informed as a result.

For this, as well, the co-chairs are to be applauded. I think Mr. Oliphant would support me in singling out the work of his co-chair, our colleague Senator Ogilvie. He was strict, as we found out. We had five minutes for the question and the answer, so the longer you took for the question, the less the witnesses had for the answer. He was strict but scrupulously fair, as he allocated the limited time among witnesses, and then among committee members.

I can tell you that I noticed members from the other place watching with admiration how he managed our often-impassioned hearings. And these were impassioned hearings, colleagues. These issues are literally matters of life and death. They raise the most profound questions of ethics and morality, of law and science. All of us were ever conscious of the overarching context; namely, the fundamental rights and freedoms of all Canadians as enshrined in the Charter.

There has been a lot of discussion in the media among Canadians and, indeed, in this chamber about the appropriate role of partisan politics in parliamentary work. This committee was an example of parliamentarians from across party lines, from both houses of Parliament, working together and grappling seriously with some of the most profound issues of our time to arrive at recommendations for the government.

The committee report that resulted was supported by parliamentarians from all parties and both chambers. There was, as colleagues may know, a minority dissenting report submitted by three committee members from the other place. That is part of how this process works, and it reflects the not unsurprising fact that Canadians are not unanimous in their views on these very important issues.

The combination of the different perspectives and experiences of members of both houses underscored I think for everyone the value of a bicameral Parliament.

We often like to point to the traditionally less-partisan nature of the Senate proceedings. This was very evident in the course of the committee hearings. I think it opened some eyes to the fact that this is possible and what is possible.

I will share one example, which was remarked upon by several members of the other place. Senator Joyal, as you might expect, was quickly recognized among committee members for his constitutional and legal expertise. On one occasion, Senator Seidman, interested in a witness's views on an issue that she knew Senator Joyal would pursue, ceded her questioning time to him to give him expanded time, given the strict limitations imposed on each of us. I appreciated her generosity and valued the exchange with the witness that resulted. That kind of cross-party collegiality and support came as a surprise, perhaps even as a shock, to some members from the other place.

As all parliamentarians are trying to lower the partisan temperature in our deliberations, Senator Seidman's example, which I suspect she didn't think twice about, was a welcome example of how we can work together in pursuit of the common good.

Hon. Senators: Hear, hear.

Senator Cowan: I want to thank the professional committee staff from both houses who assisted us in our work. The two clerks did an exceptional job organizing very complex hearings and then producing our lengthy report — all within a very tight timeline, as I said.

The joint committee clerk from the House of Commons was excellent, but allow me to single out the joint committee clerk from the Senate, Shaila Anwar. Her dedication to her work was clear to us all, as was demonstrated by the many emails she sent to us, often late at night, so we could have the best information as quickly as possible. Shaila truly went above and beyond in her determination to assist the committee in producing the best report possible.

Our staff from the Library of Parliament also deserve special mention. They were able to take the extensive testimony and the many additional briefs submitted to the committee, listen closely to the discussions and then to the instructions of committee members at a series of in camera meetings that went late into the night — and during a time when the city was shut down with a snowstorm — and provide, in a matter of days, a report that we collectively felt captured both what we had heard and what we, as a committee, agreed was our best advice for recommendations to the government for a framework of a federal response on physician-assisted dying.

• (1450)

Given the sensitivity of the issue we were all struggling with, it should surprise no one that our report has generated controversy. It has been both publicly supported and rejected, while others agree with certain recommendations while critiquing others. But it has certainly sparked debate and discussions around kitchen tables, in living rooms and in offices around the country. And that is how important national policies should be developed.

I am proud to have had the opportunity to participate in this very important process through this special joint committee. I look forward to watching and participating in the national

conversation as it continues and moves forward; and then I look forward to joining with honourable colleagues here in examining the government's proposed legislative response when it arrives in our chamber.

Colleagues, I know that there are and will be widely differing views in this chamber on the substance of the recommendations, as there are amongst members of the Canadian public. But when we bring these differing views forward, and debate them, and respectfully consider them all before arriving at our final conclusions, we are doing exactly what we should be doing as legislators in our Parliament, particularly on issues such as this one, which resonate so deeply inside so many Canadians.

Hon. Senators: Hear, hear.

(On motion of Senator Eaton, debate adjourned.)

EFFECTS OF CLIMATE CHANGE ON HUMAN RIGHTS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Jaffer, calling the attention of the Senate to the human rights implications of climate change, and how it will affect the most vulnerable in Canada and the world by threatening their right to food, water, health, adequate shelter, life, and self-determination.

Hon. Mobina S.B. Jaffer: Honourable senators, as you know, yesterday I started an inquiry on climate change and how it affects human rights. Unfortunately we ran out of time, and I would like to finish my inquiry from yesterday.

[Translation]

What this means is that we have a right to live a life without being harmed by others. Climate change, and the human impact that is contributing to it, is affecting the right to life of the most vulnerable in our world. Their livelihood is being harmed as a result of the devastation caused by an increased number of extreme weather events and landform changes. Their chances of sustaining their own lives are being threatened.

[English]

As Oxfam International has noted:

In failing to tackle climate change with urgency, rich countries are effectively violating the human rights of millions of the world's poorest people.

[Translation]

The sixth is the right to self-determination. Certain peoples' right to self-determination will be threatened due to climate change. The fate of entire nations is at stake. With sea levels rising at their current rate, low-lying Pacific Island nations, including Kiribati and Tuvalu, could be submerged within decades. The UN has already begun referring to these peoples as potential climate refugees.

[English]

Honourable senators, when we think about the effects of climate change on humanity and economies, we cannot think only about one dimension. Mitigating how the effects are going to impact all of these areas is imperative. As Mark Carney, Governor of the Bank of England, noted in his speech to Lloyd's:

The far-sighted amongst you are anticipating broader global impacts on property, migration and political stability, as well as food and water security.

So why isn't more being done to address it?

Honourable senators, this is the question I ask today. Why not?

I want to end by sharing a story with you, written about in an article by Canadian youth activists Craig and Marc Kielburger earlier this year:

Inuit activist Sheila Watt-Cloutier remembers the day her neighbour didn't come home.

Simon Nattaq lives across the street from Watt-Cloutier in Iqaluit, Nunavut. He's a hunter with decades of experience and traditional knowledge handed down through generations. He knows the land — when it's safe to go out on the ice. But in February 2001, an unexpected weak spot on a normally safe trail caught him by surprise and his snowmobile plunged through the ice.

Nattaq clambered out of the water and survived until rescuers found him two days later. By then, frostbite had done its work. Both of Nattaq's legs had to be amputated.

For Watt-Cloutier — a former politician and chair of the Inuit Circumpolar Conference — the story illustrates how climate change attacks not just the environment, but the very foundations of Inuit knowledge, tradition and identity.

Honourable senators, climate change is going to affect us all — us as Canadians, us as human beings. Today I echo Mr. Carney's question: Why isn't more being done to address it?

Thank you for your attention.

(On motion of Senator Martin, debate adjourned.)

[Senator Jaffer]

[Translation]

THE SENATE

MOTION TO URGE THE GOVERNMENT TO TAKE ALL NECESSARY STEPS TO BRING INTO FORCE BY ORDER-IN-COUNCIL THE PROVISIONS OF C-452—DEBATE ADJOURNED

Hon. Pierre-Hugues Boisvenu, pursuant to notice of March 8, 2016, moved:

That the Senate urge the government to take all necessary steps to bring into force as soon as possible by order-in-council the provisions of C-452 *An Act to amend the Criminal Code (exploitation and trafficking in persons)*, chapter 16 of the Statutes of Canada (2015), which received royal assent on June 18, 2015.

He said: Honourable senators, almost a year ago to the day I addressed this chamber to talk about Bill C-452. Today, I am returning to battle and taking the floor again to move a motion calling on the government and on the Minister of Justice and Attorney General of Canada, the Honourable Jody Wilson-Raybould, to urgently pass the order-in-council that will bring into force Bill C-452, which we passed at the end of the last session. I would remind honourable senators that this important legislation was adopted unanimously both at the other place and in this upper chamber.

The basic purpose of this legislation is to strengthen the response of the criminal justice system to one of the most heinous violations of human rights, namely human trafficking.

Honourable senators, beyond our unanimous desire to protect our children from becoming victims of this form of slavery, in light of the far too many unfortunate events of the past few weeks a sense of urgency is re-emerging. We are grappling with a major problem that is the product of serious crime and we have a duty to act quickly. These high-profile cases, which I'm sure you heard about, have been mainly in the Montreal area for many years.

• (1500)

According to the Quebec media, as well as my own research conducted through various organizations over many years, the statistics clearly show that every year, hundreds of minors fall victim to organized crime and are forced to work in prostitution rings against their will.

Many of these young girls, who are treated like merchandise, are sent to other Canadian provinces to work as prostitutes. A youth centre in Laval, for example, was the subject of a number of media reports related to serious internal recruitment problems, forcing the Government of Quebec to appoint an external auditor in an effort to improve its understanding of the phenomenon of teenage runaways. In fact, we look forward to the auditor's report, which should be released in the next few days. I must say that that report is highly anticipated by the parents of these young runaways, for they want to ensure the safety and well-being of their children.

La Presse newspaper published an article this week by journalist Katia Gagnon entitled “La chasse aux proxénètes donne peu de résultats,” or “chasing down pimps is not working,” in which she sounds the alarm for the umpteenth time. She presents a list of all the various prostitution-related charges that were laid from 2007 to 2016. She informs us that Montreal once again holds the record for the highest number of charges laid against pimps — another less-than-enviable record for the province of Quebec, I might add.

We also learn that these statistics are largely incomplete. For example, how many people were actually convicted at the end of a trial after pleading guilty, and how many victims dropped their complaints during the course of the trial? A lot of these data are unknown. Based on my research and the experts consulted, we believe that these figures are just the tip of the iceberg of child prostitution. We also know that nearly 50 per cent of victims drop their complaints during the court proceedings, mainly because they do not feel safe and they lack support.

You will understand, honourable senators, that this situation cannot go on. Too many Canadian families are seeing their daughters, who are so vulnerable, being drawn into prostitution, often against their will. Let's help them by giving them the support they need.

I would like to read an excerpt from Sainte-Agathe's newspaper, *L'Information du Nord*. It says:

The voice on the other end of the line hesitates. This person, who would only agree to talk to us if she remained anonymous, indicated that she has not worked for the Quebec youth centre for a while. She thinks for a few seconds and then answers, “I'm still in contact with a few people who work in that environment. The things that I hear are happening are not unique to the youth centres in Montreal and Laval. Recruitment is also happening in other places. I was even told that the “recruiters” . . .

— She is talking here about pimps —

. . . are offering the young people they approach a ride.

They are approaching these young people right at the youth centres.

Yesterday, the TVA network interviewed the parents of runaways the day before the tabling of the report of the auditor appointed by the Government of Quebec. Éric Hauptman, the father of a runaway, believes that the number of runaways might decrease if it were easier to prosecute the criminals involved in human trafficking under Bill C-452. He said, and I quote:

If the victim does not want to file a complaint, then the police's hands are tied. They cannot make an arrest. With this bill, the police could put pimps in prison and save our children.

Here are a few facts about human trafficking: human trafficking is one of the three most lucrative organized crime activities. In 2012, the Conservative government launched the National Action Plan to Combat Human Trafficking. Bill C-452 would strengthen that plan.

Last year, several witnesses told the Standing Senate Committee on Legal and Constitutional Affairs that proceeds from trafficking underage females are growing quickly. It is one of the most profitable crimes in Canada and the world.

I would like to draw your attention to certain elements of Bill C-452:

- 1) Holding offenders accountable for their actions by reversing the burden of proof. This will protect victims and make it possible for them to report more crimes.
- 2) Imposing sentences that reflect the severity of the crimes and enabling judges to impose consecutive sentences.
- 3) Seizing assets to ensure that offenders do not reap the benefits of their unlawful acts.

In closing, I would like to mention the following points raised in the other place about the constitutionality of elements of the bill that were confusing, such as subclause 279.01(3). In 1992, the Supreme Court of Canada found the presumption in subsection 212(3) to be constitutionally valid in *Downey*. Moreover, the Liberals voted in favour of the bill as amended, and I would like to quote Sean Casey, then the Liberal justice critic and now the Parliamentary Secretary to the Minister of Justice:

[English]

I agree that the presumption provisions may be beneficial. Such provisions, while not unprecedented in the Criminal Code, are limited in number, and rightly so, given the presumption of innocence. The committee has heard testimony that this reversal would help convict offenders when the victims who have been exploited are too frightened to testify. This is a worthy goal, and I'm not seeking to do away with the reversal of the burden of proof.

[Translation]

Honourable senators, I urge you to support my motion so that the government recognizes the urgent need for action. Victims and their families are asking for more and better protection. The police are waiting for this new tool so they can be better equipped to intervene. Youth centre workers consider this bill to be crucial to the fight against child prostitution.

The Hon. the Speaker pro tempore: Senator Boisvenu, would you take questions?

Senator Boisvenu: Certainly.

Hon. Jean-Guy Dagenais: Senator Boisvenu, at the beginning of your speech you said that the two chambers unanimously supported this bill. Does this mean that the minister's current parliamentary secretary supports the bill? Do you think he could influence the minister and ask her to pass this bill?

Senator Boisvenu: Thank you, senator. I should point out that this bill has already been passed, but when it was passed in the other place, they amended it to say that the Minister of Justice must sign an order-in-council to enact this bill. This is a rarely used procedure, but it was used for this bill. The bill has been passed, but the minister must sign an order-in-council to enact it.

One of the submissions that were made to the minister relates to whether the issue of presumption of innocence is not unconstitutional. What is surprising is that the Liberal Party's justice critic at the time, who is now the minister's parliamentary secretary, is making this point now, but he never raised it when the bill was being studied in the House of Commons.

Obviously, the person best suited to convince the minister to sign the order-in-council is her parliamentary secretary, who did not see any constitutional issues with the bill at the time. He is the one who should talk to the minister and encourage her to sign the order-in-council.

(On motion of Senator Fraser, debate adjourned.)

[English]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO STUDY THE EFFECTS OF TRANSITIONING TO A LOW CARBON ECONOMY

Hon. Richard Neufeld, pursuant to notice of March 9, 2016, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on the effects of transitioning to a low carbon economy, as required to meet the Government of Canada's announced targets for greenhouse gas emission reductions. Recognizing the role of energy production, distribution and consumption in Canada, the committee shall be authorized to:

- (a) identify and report on the impact transitioning to a low carbon economy will have on energy end users, including Canadian households and businesses;
- (b) identify and report on the most viable way the following sectors — electricity, oil and gas, transportation, buildings and trade-exposed energy intensive industries — can contribute to a low carbon economy in meeting Canada's emission targets;
- (c) examine and report on cross-sector issues and undertake case studies, if necessary, on specific programs or initiatives aimed at reducing greenhouse gas emissions;
- (d) identify areas of concern and make any necessary recommendations to the federal government that will help achieve greenhouse gas emission targets in a manner that is sustainable, affordable, efficient, equitable and achievable.

That the committee submit interim reports on identified sectors, cross-sector issues and case studies and submit its final report no later than September 30, 2017, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

The Hon. the Speaker *pro tempore*: The Honourable Senator Fraser has a question.

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): You thought you were going to get off easy, didn't you?

Senator Neufeld: No, I didn't.

Senator Fraser: You know where I'm coming from. Can you tell us a bit more about this study and, in particular, plans or hypotheses about the work that you are going to be doing that might involve extra expense, such as, notably, travel?

• (1510)

Senator Neufeld: There will be a requirement for travel, and when we actually get that completed and in the proper fashion, we will present it to the Internal Economy Committee to get the necessary approvals to be able to travel.

Senator Fraser: Could we learn a little more about where you think you're going to have to go? The world is a big place.

Senator Neufeld: It certainly is. The world I want to visit is home here shortly, with your indulgence. Listen, we want to look at the issues that surround the government's intention to reduce greenhouse gases in Canada. We want to look at how that's going to affect Fred and Martha — the people on the street, the ordinary citizen. I don't think any of that has been done, or at least I have not been able to find it.

We also want to find out what industry will have to do, mainly the oil and gas industry and the transportation industry, all of those things to find out what they have to do and what effects those will have on the general population. It's going to be a very interesting study to look at those things in light of the changes.

This is not to say that we shouldn't be changing. That's not what we're doing. This is not to say that climate change isn't happening. This is to ask what the effects are. We've heard about all of the disasters that would happen, but we haven't heard about the effects on Fred and Martha. Fred and Martha should have the right to know that this is what could happen. That is what we're trying to do.

I think that travel will only be within Canada. I haven't had anybody suggest to me that we would have to go out of the country. I think we do well and have always worked as much as we can with video conferencing. We will continue to do that as best we can. We want to keep travel to a minimum.

Time is marching on, and 2017 will come more quickly than we realize. We want to get at it as quickly as we can, and we will use the technology we have today to get as much testimony as we can that way. Whether we have to travel is still being discussed, but it would be within the Canadian borders. That is what I'm sure of.

My committee will tell me whether they want to travel to other places, and will tell me when we meet to do that, but I think that's what we're looking at.

(Motion agreed to.)

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Notices of Motions:

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, March 22, 2016, at 2 p.m.

The Hon. the Speaker *pro tempore*: Is leave granted, honourable senators?

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, March 22, 2016, at 2 p.m.)

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