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OFFICIAL REPORT
(HANSARD)

Wednesday, November 16, 2016

The Honourable GEORGE J. FUREY
Speaker

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THE SENATE

Wednesday, November 16, 2016

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

NEW SENATORS

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that the Clerk has received certificates from the Registrar General of Canada showing that the following persons, respectively, have been summoned to the Senate:

Marilou McPhedran

Wanda Thomas Bernard

Tony Dean

Sarabjit S. Marwah

Lucie Moncion

Howard Wetston

Diane Griffin

Renée Dupuis

INTRODUCTION

The Hon. the Speaker having informed the Senate that there were senators without, waiting to be introduced:

The following honourable senators were introduced; presented Her Majesty's writs of summons; took the oath prescribed by law, which was administered by the Clerk; and were seated:

Hon. Marilou McPhedran, of Winnipeg, Manitoba, introduced between Hon. Peter Harder, P.C., and Hon. Murray Sinclair;

Hon. Wanda Thomas Bernard, of Dartmouth, Nova Scotia, introduced between Hon. Peter Harder, P.C., and Hon. James S. Cowan;

Hon. Tony Dean, of Toronto, Ontario, introduced between Hon. Peter Harder, P.C., and Hon. Frances Lankin, P.C.;

Hon. Sarabjit S. Marwah, of Toronto, Ontario, introduced between Hon. Peter Harder, P.C., and Hon. Frances Lankin, P.C.;

Hon. Lucie Moncion, of North Bay, Ontario, introduced between Hon. Peter Harder, P.C., and Hon. Claudette Tardif;

Hon. Howard Wetston, of Toronto, Ontario, introduced between Hon. Peter Harder, P.C., and Hon. Douglas Black;

Hon. Diane Griffin, of Stratford, Prince Edward Island, introduced between Hon. Peter Harder, P.C., and Hon. Elizabeth Hubley; and

Hon. Renée Dupuis, of Sainte-Pétronille, Quebec, introduced between Hon. Peter Harder, P.C., and Hon. Diane Bellemare.

The Hon. the Speaker informed the Senate that each of the honourable senators named above had made and subscribed the Declaration of Qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

• (1450)

CONGRATULATIONS ON APPOINTMENTS

Hon. Peter Harder (Government Representative in the Senate): Colleagues, I have the distinct pleasure of rising in the chamber on the second consecutive day to introduce another collection of distinguished Canadians who will sit among us as of today. It's a habit I'm enjoying immensely and one that I don't plan to break, at least for a while.

Our eight new senators join us from across the country: Manitoba, Nova Scotia, Ontario, Prince Edward Island and Quebec. As you might expect, they come from all backgrounds and fields of experience, from law and business to social work and public service.

[Translation]

As professionals, community leaders and volunteers, they have already made a tremendous contribution to Canada. Their arrival at the Senate will allow them to continue this mission.

[English]

Please allow me to say a few words of introduction.

Professor Marilou McPhedran is a lawyer, educator and advocate who has tirelessly promoted human rights through reform in law, medicine, education and governance. Senator McPhedran became the youngest lawyer to become a member of the Order of Canada in 1985 for her work in leading a grassroots movement toward strengthening equality rights in the Canadian Charter of Rights and Freedoms. Professor McPhedran has also served the Canadian Human Rights Tribunal and as Chief Commissioner of the Saskatchewan Human Rights Commission. Her list of honours is long and varied, and her work is an

assurance that the voices of marginalized people will be heard and recognized across Canada. Welcome to the chamber, Senator McPhedran.

Dr. Wanda Thomas Bernard joins us in the Senate from Nova Scotia. A highly regarded social worker, educator, researcher, community activist and advocate of social change, she is one of her province's most dedicated advocates on women's issues. She is also a founding member of the Association of Black Social Workers, which helps address the needs of marginalized citizens, especially those of African descent. Senator Bernard has also served as an expert witness in human rights cases and has received many honours for her work, including the Order of Nova Scotia and the Order of Canada. Welcome, Senator Bernard.

We are also welcoming a number of new senators from Ontario.

Tony Dean is a true agent of change and his experience with help us all as we navigate our way toward a new and remodelled upper chamber. As a former senior civil servant with the Ontario government, he has led and implemented large projects designed to improve the way government provides services to its residents. Most notably, he led the development of integrated Service Ontario centres. He is also well-known for his mediating abilities, having worked to heal a previously frayed relationship between government, teachers and school boards.

Originally from the U.K., which you will note by his accent, Senator Dean is also known for his international work, which includes acting as an adviser to the London-based Commonwealth Secretariat and Commonwealth governments around the world. Welcome to the Senate, Tony Dean.

For 35 years, Sabi Marwah was a fixture in Toronto's banking and economic community, but his interests and involvement in community extended well beyond his noteworthy professional life. While his career at Scotiabank culminated with his appointment as vice-chairman and chief operating officer, his contributions have also included showcasing the rich diversity of Sikh and South Asian art and culture. He has also served on the boards of many not-for-profit organizations, such as the Royal Ontario Museum, the United Way Campaign, the Toronto International Film Festival and the Hospital for Sick Children.

As a banker he was responsible for developing strategic plans in areas such as mergers and acquisitions and sat on a number of industry committees. Originally from India, he has a strong academic background in economics and finance. Welcome to the Senate, Senator Marwah.

Lucie Moncion's tenure with the Alliance des caisses populaires de l'Ontario has been marked by growth and stability. Since taking over as president and chief executive officer, asset growth has almost tripled to \$1.4 billion.

[Translation]

The network of 12 credit unions serves 23 francophone municipalities in northeastern Ontario and plays a key role in the economic development of the region. She also served on various boards, including as Vice-President on the Board of Directors at Nipissing University, and member of the Board of Directors at Collège Boréal. Welcome, Senator Moncion.

[Senator Harder]

[English]

Also from Ontario is Howard Wetston, respected public servant, distinguished lawyer, jurist and executive. He is one of the country's leaders in the field of administrative law and regulation and has also led the Ontario Securities Commission, the Ontario Energy Board and the Competition Bureau here in Ottawa. Senator Wetston is also a former Federal Court judge and has served as general counsel or assistant general counsel with the Canadian Transport Commission, the Canadian Energy Board and the Consumers' Association of Canada. He has been called to the bar in not one, not two but three separate provinces. What an underachiever. Welcome, Senator Wetston.

Diane Griffin from P.E.I. is a nationally recognized leader in the field of conservation who has contributed to the protection of ecologically significant lands and sustainable land management. Among her many roles, Senator Griffin has worked in the provincial civil service and served as P.E.I.'s Deputy Minister of Environmental Resources.

She is also a tireless community volunteer, contributing her time to organizations that include hospitals, universities and health-related charities. She is the recipient of the Governor General's Conservation Award and also received the Order of Prince Edward Island in recognition of her volunteerism and contribution to Island life. Welcome to the Senate.

[Translation]

Finally, Renée Dupuis' leadership and achievements have been repeatedly recognized by her peers and by Canadian society as a whole. A lawyer and writer, Ms. Dupuis has been a consultant for First Nations in negotiating tripartite comprehensive claims. She chaired the Indian Specific Claims Commission in 1991 and the Barreau du Québec's committee on the rights of Aboriginal peoples in 1998.

Ms. Dupuis was a member of the collective that established the Quebec City Women's Health Centre. In addition to her professional accomplishments, she participated as a volunteer in training activities for women's support organizations. For that and many other accomplishments, she was appointed a Member of the Order of Canada and received the Quebec Bar Medal. Welcome, Senator Dupuis.

• (1500)

Hon. Claude Carignan (Leader of the Opposition): Newly appointed senators, you may have taken your place among us today, on your undoubtedly busy first day, without noticing the details of this magnificent chamber. I invite you to allow yourselves to be entranced by the charm and solemnity of this remarkable historic chamber.

[English]

There is so much history in this chamber. For 150 years, senators have gathered, deliberated and debated here. New senators, you are now part of the 961 senators who have sat in this chamber in Canadian history. Congratulations.

The faces here change, but the *raison d'être*, an institution of sober second thought, a voice for Canadians no matter what the government of the day is, and a safeguard for democracy, does not.

[Translation]

However, there are going to be some changes in the Senate to better reflect reality. Over the past few years, we have made essential changes to rebuild Canadians' confidence in this noble institution, including numerous administrative changes that seek to improve the transparency, effectiveness and sound management of our institution. The fact that 2,700 Canadians applied to fill the 21 vacant seats shows that, despite hard times, the Senate is still a highly attractive institution.

Any changes to the Senate's process for developing bills and its mandate — inherited from the Westminster model — to act as the grand inquest of the nation must be made wisely and must protect the essential role the Senate plays in Parliament. We must show restraint and avoid changing rules just to put a stop to the incessant requests for reform so that we do not end up with an unrecognizable institution that cannot function properly and is unable to fulfil its core mission of protecting the rights of the voiceless, minorities and the regions against any abuses by the government of the day.

The Prime Minister continues to implement his vision for change in the Senate. He promised that the people appointed to this chamber would not be affiliated with any party, that they would be independent, and that they would vote according to their principles and not in allegiance with or on the instructions of the person who appointed them. There will be some distance between you and the current government that will give you the freedom to vote on bills according to your own conscience, to be free agents. The Prime Minister assured Canadians of that. The purpose of your presence here is therefore not to promote the government's agenda by passing its flawed bills in the Senate.

[English]

I must say that we are very pleased to have almost a full chamber again, and we will by next week. This is necessary for democracy and providing Canadians with diverse voices from across the country that are representative of their own.

[Translation]

Senators have unique freedoms and responsibilities. Many politicians are motivated by re-election, but that is not something we need to worry about. Your sense of ethics and duty guides your conduct and the decisions you make on behalf of the people. You are their voice, their messenger in this place.

[English]

Louis Brandeis, an American lawyer and Associate Justice of the Supreme Court, once said:

The most important political office is that of the private citizen.

[Translation]

You are here to represent the Canadian people. To do that, you must find out what they think and convey their ideas to the Senate and its committees. Listen to your communities, to the regions you represent, to the people you meet. Make an effort to meet Canadians and, above all, listen to them. Listen more than you speak. I believe that the mark of a true representative is the ability to listen and to act independently.

Having come here from different backgrounds, from law and the arts to the environment, business, engineering and theatre, we bring complementary skills to the table, and we will serve all Canadians competently and diligently.

[English]

We have joining us now, astute Canada-Asia trade advocate, Senator Yuen Pau Woo, who once said of two Chinese pandas who were starting their 10-year visit to Canada that they would be:

... a doorway for Canadians to learn more about other aspects of China which are perhaps not quite as cuddly.

Very well observed, senator.

[Translation]

I am also impressed by our new senator, Gwen Boniface, who was the first woman appointed as Commissioner of the Ontario Provincial Police and the first female President of the Canadian Association of Chiefs of Police. She founded a wonderful non-profit organization created to protect child victims of sexual exploitation. Senator, I congratulate you on your compassionate approach.

Senator Kim Pate, the former Executive Director of the Canadian Association of Elizabeth Fry Societies, said, before she was appointed, that women represent the fastest growing segment of the prison population. I look forward to hearing your views on this matter and to working with you to introduce measures that will address this inequity.

We are also joined by Senator René Cormier. The former President of the Société Nationale de l'Acadie, the organization that promotes Acadian artists internationally, has worked in theatre, right here at the National Arts Centre. We look forward to working with this proud Acadian.

[English]

Senator Patricia Bovey, as an avid art historian, you will be in awe walking through this building. That never goes away. Senator Bovey is currently writing her next book, *The Western Voice in Canadian Art*. We wish you luck with that endeavour, senator.

Senator Nancy Hartling will bring a strong voice on women's issues that we can all absorb. She has spent her life running a not-for-profit group called Support for Single Parents. Thank you, senator.

Senator Marilou McPhedran, an esteemed human rights lawyer, I enjoy reading your story in the media about when you heard you would be appointed, heading home on a bus when your cellphone rang, “Hello, Marilou. This is the Prime Minister speaking.” I remember when I received the call in Home Hardware. Those moments you never forget. Congratulations.

[Translation]

Senator Bernard, a fierce protector of human rights, changed the services provided by child protection agencies to Black children and families, in part by bringing about the legislative amendments to the Children and Family Services Act in the early 1990s. Senator Bernard comes from a family of 13 children. Welcome to this big family, Senator.

We welcome Senator Renée Dupuis who has a legal background. She was a member of the *Canadian Human Rights Act* Review Panel. What an important responsibility and challenge! The Senate will be enriched by your presence, Senator.

Senator Howard Wetston is another judge who is joining the Senate. It will be a privilege to sit with you. I will be pleased to hear your legal views.

[English]

I must applaud the cultural diversity in the latest waves of appointments. This includes sharp businessman Senator Sarbjit Marwah, former Vice-Chairman and Chief Operating Officer of Scotiabank, who was named one of *Toronto Life's* 50 Most Influential People in 2013. Wow.

• (1510)

[Translation]

We are also welcoming Senator Lucie Moncion, who is very active in the francophone community. She was President and CEO of the Alliance des caisses populaires de l'Ontario, whose asset growth nearly tripled — to \$1.4 billion — under her leadership. We therefore have another astute businesswoman joining our ranks.

[English]

We also have with us Senator Diane Griffin, a leader in conservation and former P.E.I. provincial Deputy Minister of Environmental Resources and the author of “Atlantic Wildflowers.” She will definitely add a greener thumb to the Senate chamber.

[Translation]

Senator Tony Dean is a former professor at the School of Public Policy and Governance. We welcome you to the chamber, and we applaud the expertise you gained in your role as Secretary of the Cabinet in the Dalton McGuinty government. Welcome to the Senate of Canada.

[Senator Carignan]

[English]

In 2013, Prime Minister Justin Trudeau made it clear that he thought the Senate had a very significant purpose. He defended the Senate as a necessary counterweight to the elected House of Commons and praised most senators for doing extraordinary work. “To want to abolish it is demagoguery,” he said. “We’ll have to improve it.”

On January 29, 2014, when the Prime Minister expelled his senators from his Liberal caucus, he said that he believes there were two problems with the Senate: partisanship and political patronage. He also said that if he were elected Prime Minister, he would commit to reform the senators’ appointment process to ensure that the Senate will once again become independent and a place of sober second thought on public policy.

[Translation]

He also said, as *The Telegram* quoted on January 30, 2014, that if the Senate had a purpose, it was to check the extraordinary power of the Prime Minister and his cabinet, especially under a majority government.

[English]

If the Senate serves a purpose at all, it is to act as a check on the extraordinary power of the Prime Minister and his office, especially in a majority government.

[Translation]

I am confident that the new senators will respect the Prime Minister’s wise words in their work in this place. Through his statements, the Prime Minister is calling on you to have one sole loyalty and that is a loyalty to the Canadian people, whom we serve. Through his statements, the Prime Minister is also encouraging you to be independent — independent of him, even though he appointed you. Do not abide any undue pressure from his office, his ministers, his representatives or any third parties involved in the Prime Minister’s Office.

I assume that no senator would blindly support certain bills that will be introduced by the government that appointed you to the Senate, nor should you blindly oppose legislation that may come from opposition groups. You must evaluate each bill on its merit and on how it might benefit Canadians, taking into account the regions and minorities.

You have been selected by the Prime Minister based on your merit, and not political patronage. It is now up to you, honourable senators, to prove this to all Canadians. We, the veterans, are here to welcome you. We will do everything we can to welcome you properly and to change the composition of our committees so that you may participate fully in your respective roles and assume your responsibilities and duties in the great Senate traditions. There is no doubt that you all have impressive records and you certainly deserve to sit among us. We look forward to working with you, listening to you, debating with you, and considering your views on the various issues up for discussion in committee.

[English]

The Senate is the chamber of sober second thought, a quality control, if you will. A second look at things can pick up legislative gaps, constitutional impasses, mistakes or suggested amendments that make legislation more valuable.

We are all activists here. As U.S. politician Ross Perot once said, “The activist is not the man who says the river is dirty. The activist is the man who cleans up the river.”

[Translation]

I look forward to working with each and every one of you. Thank you again. Congratulations and welcome to the big family in the Senate of Canada.

[English]

Hon. Elizabeth Hubley (Acting Leader of the Senate Liberals): Honourable senators, it is a pleasure to rise on behalf of the Senate Liberal caucus to welcome our newest senators to the chamber. Senator Day, our leader, wanted to welcome you personally, and I know he will have a few words after all the new senators have arrived. He had to leave Ottawa late this morning to represent the Senate at a NATO parliamentary meeting, so it is now my pleasure to greet you on behalf of our caucus.

All of us in this chamber look forward to working with you. Each of you brings a wealth of experience and knowledge that I know will enrich the quality of the work we do here. You are joining the Senate at an exciting time in its long history. We are working collectively to reassess how we can best do our work. It is a tremendous challenge and opportunity to reimagine how one of our founding political institutions should function in the years ahead.

I believe that the real opportunity each of us is given when we come to the Senate is to make a difference through the actual work we do for Canadians. It is an extraordinary privilege to be here, a chance to take our life experience and apply it to the advanced issues of public policy to truly benefit Canadians.

I know very well that it can be a bit overwhelming at the beginning, but you will find there are many people who are ready and happy to help, from the wonderful Senate staff, and to, I'm sure, every senator in the chamber.

Once again, welcome to the Senate of Canada. I hope you will find your time here as satisfying and as exciting as I have.

Hon. Elaine McCoy: I, too, am very pleased to add my voice to that of the other leaders, welcoming you to our chamber.

It seems like we have been waiting for you for a long time. So we're very pleased. I said this yesterday, but you haven't heard it. I want you to know, when a new senator walks in and is led to a chair, we all remember the day it happened for us. That's why we are so pleased to see you.

I said this yesterday. I remember being led to that chair where Senator White now sits, and right beside me was a Liberal, Jim Cowan. We were classmates in 2005. Right in front of me was

Norm Atkins, an independent Progressive Conservative. To my left sat a Conservative, Marjory LeBreton. There I was in this Senate, surrounded by political caucuses, and we all got along. Numbers shift, of course, and we shift our chairs, but we still get along. We especially get along on issues.

We welcome you at this very important juncture in our history. There is much conversation about our efforts to modernize. We know Canadians are with us, very much hoping that we transform our culture to more replicate what they would like to see us do. We are very excited that you are joining with all of us as we co-create a very unique institution. We look forward to having you as our partners.

SENATORS' STATEMENTS

VIRGINIA PECHAWIS

Hon. Lillian Eva Dyck: Honourable senators, before I begin, I would like to offer my warm welcome and congratulations to all the new senators.

• (1520)

Honourable senators, I draw your attention to Virginia Pechawis, a veteran of World War II who holds an important role in Saskatchewan's First Nations history. She is a living testament to the contributions made by Canada's First Nations during the Second World War. However, she, being humble, insists on downplaying her own role. She says, “I don't think I'm special. I just want to be me.” The 89-year-old said this in her home on the Mistawasis First Nation, just north of Leask, Saskatchewan.

At the age of 18, Virginia wanted an opportunity to get out into the world. She said, “Maybe I'll join the army,” she recalls, and enlisted at an army office in Prince Albert.

She said basic training was difficult but rewarding. “I didn't mind it too much after I got used to it. I kind of liked it,” she said. Virginia spent most of her 13 months with the army working in the kitchen at the Valcartier military base in Quebec. Although she was often the only Aboriginal person around, she said she experienced very little face-to-face racism. “They treated me like everybody else,” she said.

Cathy Littlejohn, the author of the 2013 book *Métis Soldiers of Saskatchewan: 1914-1953*, said it was common for Aboriginal soldiers to be treated as equals during war time. Within the army, everybody has a job, and that job is critical to the jobs other people do.

One of the benefits that veterans received from the federal government was land. But like other Aboriginal veterans, when Virginia went back to Mistawasis, she received less compensation

for her service because she was an Aboriginal. "They didn't ask me what I wanted. They just gave me land on the reserve, which was ours already," she said.

In 2012, Virginia was awarded a Queen Elizabeth II Diamond Jubilee Medal for significant contributions to her country. In 2014, she was one of the handful of Aboriginal veterans in the province to receive a Lieutenant Governor's Military Service Pin during the ceremony in Saskatoon. Again, Virginia played down her contributions: "I didn't feel I had earned something, but I accepted it." At the same time, she recognizes the importance of commemorating the First Nations people who fought for Canada. "I think it's important. There are people from the war, men especially, that died," she said.

Virginia still lives on Mistawasis on the land allotted to her. "I'll never leave this place," she said.

Virginia, thank you for your service to Canada during World War II.

[Translation]

LOUIS DAVID RIEL

Hon. Raymonde Gagné: It's my turn to congratulate you all on your appointments.

[English]

Please accept my warmest congratulations on your new appointments.

[Translation]

Honourable senators, this morning the Metis flag was raised on Parliament Hill in front of the East Block to mark the anniversary of the hanging of Louis David Riel. In Manitoba, Metis people and Franco-Manitobans are gathering at his grave to pay their respects.

A great Metis leader and a key figure in Canada's history, Riel was born in Saint-Boniface in the Red River colony in what is now Manitoba. Driven by his vision and a profound devotion to the Metis people and their cause, he led two resistance movements against the colonial powers of his day, first at the Red River colony in 1869 and 1870, and then at Batoche, Saskatchewan, in 1885.

As the founding father of the Province of Manitoba, Louis Riel sacrificed his life in defence of the rights of the people of Red River: the Metis, the Indigenous peoples, francophones and anglophones. He dreamed of creating a society in which all Canadians could live in harmony.

This afternoon, I am very proud to pay tribute to the determination and wisdom of a political figure who fought passionately to protect his people and defend minority rights in Canada, a value central to the Senate of Canada's role.

Hon. Senators: Hear, hear.

[Senator Dyck]

[English]

THOMAS NANGLE

Hon. Fabian Manning: Honourable senators, I also want to echo the comments of my colleagues in welcoming the newest appointees to the Senate of Canada. I look forward to working with each and every one of you and to you adding your voice to the great work we do here in the Senate.

Today, I am pleased to present Chapter 4 of "Telling Our Story." Honourable senators, earlier this year, the Government of Canada designated the Royal Newfoundland Regiment's chaplain, Colonel Padre Thomas Nangle, as a person of historical significance. As part of this recognition process, the Parks Canada posted the following facts about the life of Colonel Nangle, who was born in St. John's, Newfoundland, in 1889:

Thomas Nangle is known for his tireless efforts to keep alive the memory of Newfoundlanders' sacrifices in the First World War and the places embodying those sacrifices.

Nangle planned and supervised the selection and placement of monuments commemorating the battles in which Newfoundlanders had fought in Europe and had Newfoundland-specific monuments put up at five battlefields along what is known as the "Trail of the Caribou." He also purchased a large portion of the Beaumont-Hamel battlefield to preserve the graves of Newfoundland's fallen soldiers, and acquired part of the Somme battlefield, thus establishing a permanent legacy in memory of the First World War. . . .

When the war ended, Nangle returned to Newfoundland and was assigned to St. Michael's Parish on Bell Island. His ministry was interrupted in 1919, when he was appointed as Newfoundland's representative on the Directorate of War Graves and Enquiries and the Imperial War Graves Commission (IWGC). In this role, Nangle returned to Europe, where he marked and documented all grave sites where Newfoundlanders were buried.

Asked to develop a strategy for commemorating Newfoundland's contributions to the war, Nangle suggested erecting a sculpture of a caribou at each of the five main battlefields where Newfoundlanders had fallen. To raise the necessary funds, he travelled throughout Newfoundland and visited the families of the victims. Having received additional funds from the Newfoundland government, Nangle negotiated with over 250 French landowners to acquire the land on which the monuments were to be built. He was also responsible for searching for the graves of Newfoundland's soldiers in Europe and in Newfoundland. At the same time, Nangle contributed to the creation of a national commemorative monument for Newfoundland, unveiled in 1925 in St. John's.

The national cenotaph now proudly stands overlooking St. John's Harbour.

The career of service that Padre Nangle contributed to Newfoundland and Labrador was first brought to public attention by the detailed research done by historian Gary

Browne, which he published in his book *Soldier Priest*. I would especially like to take this opportunity to thank Mr. Browne for his important contribution to the history of Colonel Padre Thomas Nangle and the Royal Newfoundland Regiment.

Fellow senators, just a few days ago, on November 11, we all joined in ceremonies across our great country to honour and remember those who fought and died for the freedom and peace we enjoy today, lest we forget.

Colonel Padre Thomas Nangle considered it his duty to ensure that the bravery, courage and sacrifice of the soldiers of Newfoundland would never be forgotten. Because of his tireless efforts to keep alive those memories, at the going down of the sun and in the morning, we will remember him.

THE LATE DANIEL W. O'BRIEN, C.M., O.N.B.

Hon. Wilfred P. Moore: Honourable senators, I would also like to join my colleagues in welcoming the new senators, the 14 that were sworn in yesterday and today. Particularly, I'd like to welcome Senator Wanda Bernard, my fellow Nova Scotian. Welcome aboard.

Honourable senators, I rise today to pay tribute to Dr. Daniel W. O'Brien, who departed this life in Halifax, Nova Scotia, on Sunday October 30, 2016. Dan earned a Bachelor of Commerce degree from St. Mary's University, a master's degree from the Maritime School of Social Work and a doctorate in social planning from the University of Pennsylvania.

He was a professor of social work and served as an administrator at Dalhousie University for 21 years. In 1990, Dan was appointed President of St. Thomas University in Fredericton, New Brunswick, and he led that university until 2006. In recognition of his stellar service, in 2010 Dan was installed as St. Thomas University's first President Emeritus, and its principle study hall was named in his honour.

• (1530)

During his time in Fredericton, Dan served on many community boards and committees, including Chair of the Board of the Beaverbrook Art Gallery, during a legacy-defining period. Those good works saw him awarded an honorary Doctorate of Literature from the University of New Brunswick, an induction into the Order of New Brunswick and a papal knighthood.

Following his tenure at St. Thomas University, Dan and his family moved back to Nova Scotia, settling in Chester Basin, where he established an active consulting practice. In 2010, he was appointed Chair of the Halifax Capital District Health Authority Board. He next began a round of important education leadership tasks, including Acting President of the Atlantic School of Theology in 2011 and from 2014-15. He was President of the Nova Scotia College of Art and Design University in Halifax from 2012-14, guiding it through a challenging financial period and developing its "Framework for Stability" document. Upon Dan's passing, Grant Machum, Immediate Past Chair of NSCAD's Board of Governors, said of him:

He is the reason that NSCAD remains an independent fine arts university with a worldwide reputation.

Dr. Daniel W. O'Brien leaves behind a legacy of outstanding post-secondary education leadership. He was a true champion, and we are all beneficiaries of his dedicated personal commitment. We extend our heartfelt sympathy to his wife, Valerie, and their sons, Professor Peter and Father Craig.

THE HONOURABLE DENISE BATTERS

CONGRATULATIONS ON 2016 ALUMNI OF DISTINCTION AWARD RECIPIENT FROM CAMPION COLLEGE AT THE UNIVERSITY OF REGINA

Hon. David Tkachuk: Honourable senators, just before the break our colleague Senator Denise Batters received the Alumni of Distinction Award from Campion College at the University of Regina. It is well-deserved.

Denise got her Bachelor of Arts degree from Campion. After graduating, she attended the University of Saskatchewan, where she obtained a law degree. She was called to the bar in 1995 and spent the next 12 years in private practice.

Politics was calling, however, and from 2007 to 2012 she was Chief of Staff to Saskatchewan's Minister of Justice, Don Morgan. Following that, she spent a stint as the Executive Director of Regulatory Affairs at the Crown Management Board Corporation, and in 2013 she was called to the Senate by Stephen Harper.

Anybody who has endured the withering, excruciatingly researched cross-examination type questioning of Senator Batters in this place knows that her 12 years of law practice has served her well. It is surely rooted in the discipline of the Jesuit education she received at Campion College, an education that stresses striving for excellence, caring for the whole person, and promoting justice and leadership in service, which includes concern for the marginalized, the vulnerable and forgotten.

The award recognizes not only someone who reflects these core values, but someone who distinguishes themselves in both their profession and community. Her 12 years of law practice resulted in her being named Queen's Counsel in 2008. Her devotion to politics and Conservative values resulted in her appointment to the Senate in 2013. The personal tragedy she suffered has made her a relentless and outspoken champion of mental health issues both in her community and in this place.

As she said upon accepting this award:

The Senate provides a national platform for me to further my work on mental illness and suicide prevention. Increasing awareness and dispelling stigma about mental illness and suicide continues to be a personal priority for me as a senator.

She also pointed out that the Senate was the first to conduct a major national study about mental health in Canada. Denise said that it has always been her dream to be a senator, but given that mental health has become her cause, perhaps it was also foreordained.

She is a tireless advocate for the vulnerable and the marginalized. As such, and given all her other accomplishments, she is more than a worthy recipient of the Campion College Alumni of Distinction Award. Join me in congratulating her for this prestigious award in Saskatchewan.

Hon. Senators: Here, here!

[Translation]

ROUTINE PROCEEDINGS

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON NOVEMBER 22, 2016

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): 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 Tuesday, November 22, 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, which shall last a maximum of 40 minutes;

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.

ADJOURNMENT

NOTICE OF MOTION

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, November 22, 2016 at 2 p.m.

[Senator Tkachuk]

[English]

COMMONWEALTH PARLIAMENTARY ASSOCIATION

ELECTION SEMINAR FOR THE PARLIAMENT OF GUYANA AND THE CAPACITY BUILDING PROGRAMME WORKSHOP FOR COMMITTEE CHAIRS AND CLERKS, MARCH 31-APRIL 6, 2016— REPORT TABLED

Hon. Elizabeth Hubley (Acting Leader of the Senate Liberals): Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Commonwealth Parliamentary Association to the CPA Election Seminar for the Parliament of Guyana and the Capacity Building Programme Workshop for Committee Chairs and Clerks, held in Georgetown, Guyana, from March 31 to April 6, 2016.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Notice of Motion to Authorize Committee to Meet During Sitting of the Senate

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 have the power to meet on Tuesday, November 22, 2016, at 4 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[Translation]

QUESTION PERIOD

INTERNATIONAL TRADE

CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT— DAIRY ASSISTANCE PROGRAM

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Leader, the government announced an investment of \$350 million for two new programs, apparently to support the competitiveness of the dairy sector in anticipation of the entry into force of the Canada—European Union free trade agreement. Quebec's agriculture minister, Pierre Paradis, thinks that this amount is inadequate. He wants to meet with the federal ministers of agriculture and international trade in order to discuss the details of these assistance programs, especially with respect to the funding that will be allocated to dairy farmers in Quebec.

How did the government come to the conclusion that \$350 million would be enough to compensate Canada's dairy sector?

[English]

Hon. Peter Harder (Government Representative in the Senate): I want to thank the honourable senator for his question. Before I answer it, I want to congratulate him because, as senators will remember, in his last question just before the break, he asked when the government would announce the awarding of an icebreaker for the St. Lawrence. I said soon, but I would check.

Later that afternoon, as he was going to Montreal, the news came out and he sent me an email from his car — I'm sure it was hands-free — telling me that he had extraordinary power in having one question get a response. In that spirit, let me answer this question.

• (1540)

Colleagues, the Government of Canada takes the CETA agreement as a wonderful opportunity for Canada to gain access to a European market, particularly at a time when there are voices in the world that would limit access to free trade.

With respect to CETA agreement, the Government of Canada is consulting with and has fully supported Canadian dairy farmers and the supply management system in the negotiating process. It is, as the senator's question suggests, investing up to \$350 million in the dairy sector for two programs to support the competitiveness of this sector in anticipation of the coming-into-force of CETA. These programs, the government believes, will help farmers to innovate and to improve productivity and help producers to innovate and diversify their products. Dairy farmers have called this an important recognition of the contribution farmers and processors are making to the Canadian economy and to this long-term investment in dairy modernization as we prepare to implement CETA application.

The government has consulted and will continue to consult with the dairy sector to get its views on the design of the program. These programs are complementary to the government's other programs of support to the dairy industry and supply management, and we are confident that this will assure future generations of dairy producers of competitiveness in the long run and of access to the European market, as provided for under the agreement.

[Translation]

Senator Carignan: Leader, I was referring to your power to influence the government in the procurement of ice breakers.

As for the \$350 million, how much of that will be given to Quebec and to each of the provinces? Finally, will Minister MacAuley and Minister Freeland agree to meet with the Quebec agriculture minister, Pierre Paradis? If so, when?

[English]

Senator Harder: I will take that question as notice. I don't have the schedules of the ministers, but I know that they regularly meet their counterparts. Mr. MacAuley has been diligent, in particular,

in keeping in touch with all of the ministers of agriculture across the country with respect to this matter. I will be happy to report back to the senator.

I want to assure all senators that the Government of Canada takes the CETA implementation and preparation of that implementation very seriously, as I say, particularly at a time when there are voices of disruption in the area of international trade.

TRADE NEGOTIATIONS

Hon. Douglas Black: My question follows the trade theme that Senator Carignan has raised.

We all know, in this chamber, the key importance of trade and trade agreements to Canada. There is no more important agreement than NAFTA. Last year, an estimated \$760 billion of goods crossed our border, all to Canada's benefit. Earlier this week, I was surprised to hear that both our Prime Minister and Canada's Ambassador to the United States have voluntarily offered to open negotiations on NAFTA, without any clear knowledge of what the incoming U.S. administration is seeking. I'm not much of a card player, but why would Canada show its hand before the game has begun?

Some Hon. Senators: Hear, hear!

Hon. Peter Harder (Government Representative in the Senate): Well, I am not surprised. The Government of Canada is looking forward to having an effective and functional relationship with the new U.S. administration, the Congress of the United States and all of the aspects of support. I am thinking here of the trade office and the trade representative as well as Congress. The signaling of the Prime Minister in his conversation with President-Elect Trump and the willingness to engage on the issues that the president-elect is wanting to discuss is important for Canada.

It is obviously the interest of the Government of Canada to advance Canada's interests in securing and building on the relationships that we have in place and the grievance that we have in place.

This will be a path forward not without challenge. I think it is important that we be vigilant and forbear some of the ebbs and flows of negotiation and speculation. But the bottom line is that the Government of Canada is anxious to have a secure, ongoing and mature relationship that secures our trade and culture and political and security ties with the new administration as it prepares to take office on January 20. I commend the ambassador and the Prime Minister and all of the other ministers and officials responsible for securing this relationship for their steadiness in the past week and as we approach the new administration.

Hon. David Tkachuk: I was going to ask the same question as Senator Black asked, but I will ask a supplementary question.

Foreign Minister Dion evaded the question in the house, when he was asked the same question that Senator Black raised here. He said, "We look forward to working with the United States on

a host of issues," which is much like what you said. Can you tell me, is everything on the table, or is it as our ambassador in Washington said, that there are areas in NAFTA that need improvement?

Senator Harder: I think it would be premature for me or any Canadian official to suggest what is not on a table that is not yet a table, other than to suggest that we are anxious to engage constructively with the new administration.

There have been a number of reports, including from this chamber, as to how we could improve and facilitate trade across North America, and that should inform all of us as we seek to build and maintain the constructive relationship that we require as a country, not only in the area of trade but in the areas of security, defence, and people-to-people engagement across this border, which needs significant improvement.

Senator Tkachuk: The Prime Minister, by saying that he was offering to re-open NAFTA, did put everything on the table. And my supplementary question would be: If he was going to say anything at all, why would he not say something that he and president agreed upon, like to urge him to approve Keystone XL, and not to open a free trade agreement that hasn't yet been opened?

Senator Harder: I can only repeat that the Government of Canada is determined to have, and desirous of having, a constructive relationship with an administration that has yet to take office. The early discussions at the highest level reaffirmed a willingness to engage personally on our bilateral and shared files globally. Those negotiations, discussions and engagements on a wide variety of issues over the next four years are ones that will have their own rhythm obviously and their own good and challenging times. It is one thing that Canada is preparing for as we look to January 20 and a new administration.

Hon. Joan Fraser: For the Leader of the Government: There have been reports of a leaked memo suggesting that, beginning on the very first day of his administration, the incoming president will move to re-open trade negotiations. And two subjects in particular that have been mentioned that would affect Canada profoundly are softwood lumber and country-of-origin labelling for beef.

In the preparatory discussions, contacts, whatever, that have been going on, has the Government of Canada received any indication that this is indeed the case, that those two issues will be on the table?

Senator Harder: Senators, I think it would be inappropriate for me to comment on what could be a leaked document or not. Certainly, I do not, as the Government Representative, have access to the precise work that is being planned as both sides of the Canada and U.S. administrations contemplate engaging together after January 20. I reassure Canadians and all senators that as we move forward, it is the intention of the Government of Canada to actively defend and promote the interests of Canada on trade, security, defence and other issues of commonality and concern to all Canadians, particularly as we share this common North America with the United States.

• (1550)

Senator Tkachuk: Was it part of the Prime Minister's plan to say that the free trade agreement was open for discussion? Was that part of the plan they have been talking about the last two, three months?

Senator Harder: I appreciate the supplementary question.

Let me only say that the plan of the Government of Canada remains to ensure that all appropriate steps are taken to secure a trade relationship, a defence and security relationship, a people-to-people relationship that advances Canada's interests. That is the plan. I am sure that the officials responsible, from the Prime Minister to other ministers as well as administrative officials, are very much focussed on this and will be reporting appropriately to the people of Canada to assure them of this ongoing access to, as Senator Black described, the important relationship that we have with the United States.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

RCMP AUXILIARY CONSTABLE PROGRAM

Hon. Daniel Lang: Colleagues, I would like to direct our attention to another issue facing Canada and the question of public security in Canada, and that's a question of the future of the RCMP auxiliary program. I have given the Leader of the Government notice that I was going to ask again about this outstanding question. As you know, I've raised the question a number of times, not only in the Senate but also at committee.

In the past year, the RCMP has committed itself to consulting with the territorial and provincial governments on the program. They have come up with three options, two of which will reduce the day-to-day role of the RCMP Auxiliary Constable Program, and a third option that would allow the auxiliary constable to participate in general-duty patrols with regular members as they have in the past.

Can the leader tell us the government's view of the importance the voluntary community policing program, the auxiliary RCMP program, and when can Canadians — especially the members of the auxiliary RCMP program — know what their fate will be in respect of the decision that will be taken in the near future?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and his ongoing interest in this issue.

As indicated in the question, the honourable senator has raised this issue in the chamber before as well as with the minister in the chamber and in committee, and I appreciate that advance notice was given.

I have made inquiries and been assured that the RCMP's consultation process has not yet been completed, but that an announcement on the future of the auxiliary program will be made shortly.

Senator Lang: I want to reaffirm to the government leader that there are more than 1,700 Canadians who have committed themselves to the community policing of their communities, especially in rural Canada in provinces such as British Columbia and Alberta. I want to say this: Nothing short of a decision that will maintain the present program or improve the present program is acceptable to Canadians, especially in view of the fact that we are dealing with a situation where the RCMP is now understaffed.

Could you please convey that message to the minister, because at the end of the day it is the minister who makes the decision, not the Commissioner of the RCMP?

Senator Harder: I will indeed.

STATUS OF WOMEN

GENDER-BASED ANALYSIS

Hon. Nancy Ruth: Senator Harder, I'm always pleased when the Prime Minister puts women forward as well as draws attention to the issues of violence against women and gender-based analysis. I am curious why, when he met with the trillionaires, and this whole movement of capital that might flow into Canada and become partners with the taxpayer, there was no mention of gender-based analysis. It seems to me that when money moves, it has to have a particular consideration for the needs of women. Could you explain why he didn't do that?

Hon. Peter Harder (Government Representative in the Senate): That explanation eludes me, and I will definitely inquire. I thank the honourable senator for her question.

INTERNATIONAL TRADE

TRADE NEGOTIATIONS

Hon. Wilfred P. Moore: My question is also for the Leader of the Government in the Senate. I want to follow up on the trade issue.

In the last number of months, there have been hopeful comments regarding President Obama and Prime Minister Trudeau working toward an agreement on softwood lumber and NAFTA. Has everything stopped as of the election or are we still moving ahead?

It sounded positive. It sounded like obstacles could be overcome if there is some give and take and we would get the deal done. Senator Black mentioned that this trade accounts for \$2 billion every day, the largest trading bloc in the world. Softwood lumber is the key, and we supply immeasurable amounts of lumber to the U.S. for their housing needs.

Has everything stopped as of the election date and the new administration, or are we still proceeding with the officials that were in place prior to that?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question, and I want to assure him that I am informed that the discussions with the

Obama administration are continuing. They are the administration until the January 20, but as I've said in answers to other questions with respect to softwood lumber, it is a challenging issue. I know the minister is in appropriate contact with our American counterparts, as are others.

EMPLOYMENT, WORKFORCE DEVELOPMENT AND LABOUR

JOB OPPORTUNITIES FOR NEW IMMIGRANTS

Hon. Tobias C. Enverga, Jr.: Unfortunately, I didn't get a chance to ask the minister this question when she appeared here yesterday. I, therefore, have a question for the Government Representative of the Senate.

Last week we saw that the employment rates are slightly up, but these are mainly part-time jobs. Our unemployment rate remains the same at 7 per cent because there are more participants in the job market. The Minister of Immigration told us recently that Canada will retain the current immigration quota for next year, which is higher than in the past.

What is Employment and Social Development Canada doing to ensure that our new immigrants will obtain full-time employment, which is very important for their successful integration into our society? How does the Minister of Employment, Workforce Development and Labour propose that we deal with the growing number of labour market participants because of immigration?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question, and I would share his view that it is important for Canada's well-being that new immigrants be integrated as quickly as possible.

Senators will recall that the Minister of Immigration was here recently. He spoke of the added investment that the government is making with respect to language training, which is an important precondition of labour market integration, and that is a welcomed development.

With respect to other programs of labour market pre-employment training, yesterday the minister spoke to a number of programs that are designed not only for immigrants but also for the Canadian labour force that is not working or is not working at an appropriate level. Those programs are available for new immigrants once and, if necessary, the language training has been complete.

Senator Enverga: The question was: What are the programs that will be introduced by the government so there will be more full-time employment for immigrants?

Senator Harder: Again, I would be happy to provide a lengthy answer of the specific programs — the minister enumerated a number of them yesterday — that are being put in place, everything from youth employment to pre-employment training. These are programs that are available, often in shared jurisdictions, for the workforce. The application of those programs is neither restricted to immigrants nor are immigrants not welcomed in them.

• (1600)

With respect to immigrant pre-employment positioning, language training is a huge component of this, as I'm sure the honourable senator would agree.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators will note that it is almost four o'clock, and we normally adjourn at four o'clock. But according to the sessional order passed in February of this year, when the Senate sits on Wednesday, it will stand adjourned at the later of 4 p.m. or the end of Question Period.

There are four or five minutes left in Question Period, and there are still a few senators who wish to ask questions. We will continue until the end of Question Period.

[Translation]

FOREIGN AFFAIRS

EXPORT PERMITS

Hon. Thanh Hai Ngo: My question is for the Leader of the Government in the Senate. The story in the media last week was that Minister Dion blocked a military export deal with Thailand in August. Since then, Canada's Minister of Foreign Affairs has refused to specify what types of goods were being exported and why the deal was blocked.

The Thai military government has postponed elections, restricted freedom of expression and imprisoned Thai citizens who criticized the military regime. Canada has condemned these actions. There is no doubt that the human rights violations in Thailand are becoming increasingly worrisome and could justify the cancellation of the military export contract. However, because the minister has remained silent on this issue, we have no way of knowing why he blocked the contract.

What is more, the minister cancelled the contract with Thailand but went ahead with the contract to sell armoured vehicles to Saudi Arabia, despite that country's terrible human rights record. In the interest of transparency, my question is this: what exactly did Mr. Dion block and why is the contract with Thailand a greater threat to human rights than Saudi Arabia's disastrous record in that regard?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Let me simply repeat that the export permit process is very much proscribed in regulations and gives authority to the minister to make decisions. This decision-making process often involves discussions between and among the parties involved.

I will inquire as to the specifics of the question, but it's not unusual at all for the level of detail that has been released to be the only level of detail that is released because of the commercial nature of the export permit request.

[Senator Harder]

[Translation]

Senator Ngo: The House of Commons Standing Committee on Foreign Affairs and International Development is currently examining the Special Economic Measures Act and the Freezing Assets of Corrupt Foreign Officials Act. When will the government examine the Export and Import Permits Act and what measures will it take to ensure that Canada's export policies protect and promote human rights in Canada and throughout the world?

[English]

Senator Harder: I think it would be premature for the government to make any announcement before the study has been completed. I'm sure that at the appropriate time ministers will reflect on the recommendations coming forward and make an announcement.

INTERNATIONAL TRADE

TRANS-PACIFIC PARTNERSHIP— TRADE AGREEMENTS

Hon. Victor Oh: My question is for the Leader of the Government in the Senate. Although it has previously been reported that President Obama would use the rest of his time in office to obtain congressional approval for the Trans-Pacific Partnership, both Republican and Democratic leaders in the U.S. Senate have told the White House that they will not bring the TPP up for a vote during the so-called landlocked sessions of the Congress. This means the deal is effectively dead.

As the new President-elect of the United States has been very vocal in not supporting the TPP, could the Leader of the Government in the Senate tell us what contingency plans the Liberal government has in place to boost our trade in the Asia-Pacific region if the TPP collapses?

Hon. Peter Harder (Government Representative in the Senate): It would be premature and unwise for me to speculate on what the government's contingency planning might be well in advance of appropriate discussions with allies and other trade partners. I'm sure those discussions are taking place, and appropriate announcements will be made at the appropriate time.

I would, though, emphasize to all senators that at a time of issues around global trade, particularly free trade, we should never give up on the extension of trading relationships to new markets, particularly those in Asia, irrespective of one particular agreement or another. This will take some time to work through with our allies and potential and existing trading partners. I hope all senators will agree it is prudent for the government to aggressively pursue a trade agenda as they move forward.

Senator Oh: Will the government revive the free trade talks between Canada and Japan? Those talks began under the previous Conservative government in 2012 but were sidelined in favour of the TPP negotiations. Will they be reopened?

Senator Harder: I thank the honourable senator for his question and his ongoing interest in trade, particularly with Asia. Again, it

would be premature for me as the Government Representative to comment on what announcements might or might not take place.

Let me simply reflect, as the question itself does, that since Canada's discussions with Japan on freer trade preceded the TPP, it was appropriate for the TPP to be the one in which these discussions were merged.

I would be among those who would advocate for an ongoing engagement with potential partners in Asia, and I am certain that the Government of Canada will be examining all of those options

so that we can secure trade relationships with emerging markets, particularly those in Asia.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, Question Period having ended and it being past 4 p.m., pursuant to the order adopted on February 4, 2016, I declare the Senate adjourned.

(The Senate adjourned until Thursday, November 17, 2016, at 1:30 p.m.)

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