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(HANSARD)

Wednesday, March 8, 2017

The Honourable GEORGE J. FUREY
Speaker

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THE SENATE

Wednesday, March 8, 2017

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

Prayers.

SENATORS' STATEMENTS

INTERNATIONAL WOMEN'S DAY

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, while I rise to speak on International Women's Day, I must acknowledge how inadequate 1 day out of 365 is to recognize the vital importance of gender equity in the well-being of society.

The debt we owe to the women in our lives starts with the first breath. If we are lucky enough to have sisters — most of the time it's lucky — our respect for the power of women begins at a most tender age.

[*Translation*]

Achieving gender equality in Canada has been slow going.

Political history is dotted with firsts: Cairine Wilson, the first woman appointed to the Senate; Agnes Macphail, the first woman elected to the House of Commons; and Kim Campbell, the first female prime minister.

[*English*]

As a young foreign service officer, I was lucky to serve as a political assistant under another first, the first woman to be foreign minister of Canada, the Honourable Flora MacDonald, and that was a task not for the faint of heart.

Today we are privileged to serve in a chamber with a number of exceptional colleagues who have each made her own contribution to Canada. Each one, through her actions, challenging assumptions and breaking down barriers, has made a significant contribution to this chamber and to Canada.

The short time frame for Senators' Statements prevents me from enumerating all of these extraordinary colleagues and their contributions, but let me recognize our dean in the Senate, the Honourable Anne Cools. Let me also recognize former Senator Nancy Ruth, whose efforts have led to gender-based analysis becoming part of the criteria of government consideration.

[*Translation*]

I am sure that my honourable colleagues share my enthusiasm for the rapid progress we are seeing today, as much in this chamber as in the other place.

When this Parliament met in December 2015, there were 31 female senators and 52 male senators. Today, we have 43 female senators and 57 male senators.

[*English*]

Of the 27 senators appointed in the past year through this independent appointment process, 16 have been women, 11 men, and more needs to be done.

And, of course, this government made history with achieving gender parity in the formation of the cabinet.

When we have gender equity, we move beyond the notion of firsts so that equity and inclusion are normalized. All citizens benefit when all citizens are able to contribute.

International Women's Day serves to remind us of this fact and how far we have come and yet how much we still have to achieve to ensure equity and equality in Canada.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of the Honourable Dr. Wayne Adams, Special Project Co-ordinator for Perennia Food and Agriculture Inc. He was the first African Nova Scotian elected to the Nova Scotia Legislature. He is the guest of the Honourable Senator Bernard.

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

Hon. Senators: Hear, hear!

INTERNATIONAL WOMEN'S DAY

Hon. Wanda Thomas Bernard: Honourable senators, I rise today on International Women's Day to pay tribute to women of all walks of life who have fought hard for equal rights. Canadian women have and continue to inspire us all to stand up and take our rightful place.

Honourable colleagues, I asked Parliamentary Poet Laureate George Elliott Clarke to write a poem to celebrate International Women's Day and further underline the important contributions made by women of African descent to our societies. I suggested that the poem commemorate Viola Desmond's legacy, the first Canadian woman to be depicted on the face of a Canadian banknote. A great achievement for all women, but we must continue to promote the importance of equality by combating gender, race and all forms of oppression.

Dr. Clarke has blessed us with a compelling composition entitled *On Political Economy; or, The Ballad of Viola Desmond*, which I will now recite. I don't even pretend that I will do justice to the eloquence of his voice.

On Political Economy; or, The Ballad of Viola Desmond.

It's impossible proof! The ten-dollar
 Bill supporting her face demonstrates "Crime pays": But,
 first, the heroine has to holler;
 She has to be jailed —
 Because she didn't pay the penny tax
 Required to sit where Caucasian folks sit
 In that segregated cinema. Blacks,
 In 1946, were deemed unfit
 To share the same seating at the Roseland
 Theatre in New Glasgow, and were told,
 "Some rows are 'Whites Only.'" Who could withstand?
Voila! Viola—worth her weight in gold.
 Desmond was a beautician, but her *Change*
Wasn't cosmetic. She wouldn't give
Two cents to black racism. That was strange:
It wasn't how most "Coloureds" had to live.
So Nova Scotia swiftly saw her jailed,
Tried her, declared her Guilt: Not for breaking
 Racist rules, but only because she failed
 To pay one cent the *Province* was taking
 To support 'Whites Only' rules a-plenty
 (As if *New Scotland* were South Africa).
 Viola, convicted, was fined twenty
 Dollars. That's her beauty spot, I tell ya.
 Her two cents made a real Difference, made
Change begin to happen, nine years before
 Rosa Parks sparked the Civil Rights crusade
 States-side, a century past Civil War. . . .
 As an entrepreneur, she sought *Value*
And Profit in *Beauty*, Sis Desmond did.
 But she strove for *Justice* because it's true—*Beauty* turns
 ugly
 where *Justice* is hid.
 Her bill is "disappointingly smooth," eh?
 One can't feel her scars, scrapes, and scabs, that she *Suffered*
 to
 bring about a "better day,"
 Whose dawn would usher in *Equality*.
 Still, she is the first Canuck *femme* and person
 Of colour, to see her face integrate
 Canadian currency. Partisan
 Of *Justice*, ponder her interest rate —
 From two cents to ten dollars, an increase of 50,000%.
 Also Note, her Royal Pardon: Miracles don't cease! Royal
 Mint is Viola Desmond now!

• (1410)

Happy International Women's Day.

Hon. Senators: Hear, hear!

[Translation]

ENERGY EAST PIPELINE

Hon. Percy Mockler: Honourable senators, on the eve of the global energy conference being held tomorrow, Thursday, March 9, 2017, in Houston, Texas, I want to take this

[Senator Bernard]

opportunity to congratulate and acknowledge Prime Minister Justin Trudeau, who will be delivering the keynote address at this meeting for the first time.

[English]

It is also to be noted that the Prime Minister will receive the CERAWEEK Global Energy and Environment Leadership Award for Canada's commitment to sustainability in energy and the environment.

As a Canadian senator from New Brunswick, the Prime Minister must seize this opportunity with his audience to showcase what Canada can do to help secure us as a sound supplier of energy products to our biggest trade partner, the U.S.A.

Yes, it is imperative that Canada details its continued transition to low carbon energy sources as we did from 2005 to 2014. In that period, Canada's greenhouse gas emission decreased by 2.1 per cent and our gross domestic product grew by approximately 10 per cent.

The government must take action now and our decisions must always be based on scientific evidence as we move forward with the Energy East project. Energy East is of national interest, and it is integrated within the global vision of North America's needs in energy, and we do have a culture of "can-do."

Honourable senators, oil is and will continue to be part of the global economy for many more decades to come.

Honourable senators, it is factual that Energy East is becoming more crucial to enhancing Canada's position in the international oil marketplace. However, we have a paradox. We have oil in Canada that is landlocked and inaccessible to tidewater. The Energy East project and the TransCanada pipeline is the safest means of transportation of oil from Western Canada.

Therefore, I say to the Prime Minister: Prime Minister, we can make a choice. We can refine the product from other countries or we can refine our own product and in the process create good Canadian jobs with the biggest refinery in Canada, including Saint John, New Brunswick.

Honourable senators, Energy East is expected to raise approximately \$482 million in tax revenue for New Brunswick, Atlantic Canada and Canada as a whole. Honourable senators, it is a need, and we can do it.

INTERNATIONAL WOMEN'S DAY

Hon. Nancy Hartling: Honourable senators, I rise today to recognize that March 8 is International Women's Day.

[Translation]

I am very pleased to mark International Women's Day with you.

[English]

International Women's Day first emerged from the activities of the labour movement at the turn of the century both in Europe and North America. Since those early beginnings, International Women's Day has assumed a new global dimension in the world. In 1977, the United Nations adopted a resolution designating March 8 as International Women's Day.

This year, the United Nations Entity for Gender Equality and the Empowerment of Women, better known as UN Women, has chosen the theme of *Women in the Changing World of Work: Planet 50-50 by 2030*. It focuses on how the workplace is changing and the implications of those changes for women, including technological advances, informal and unstable work and environmental impacts.

It is an important commitment by the UN to its 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals adopted by world leaders in September 2015. The theme encourages all citizens to consider how we can build momentum and move forward with these goals with an aim to end poverty, combat inequalities and promote prosperity while protecting the environment by 2030.

In Canada, Status of Women Canada has chosen the theme "Equality Matters" for 2017, which will highlight the benefits of gender equality for all Canadians.

Although a lot of progress has been made towards gender equality in Canada, there still is work to be done. Some things include that women still do earn less than men in the workforce. There are still fewer women who advance to senior management positions, women continue to be under-represented in the political sphere and tragically girls and women experience higher rates of sexual- and gender-based violence. But I am a hopeful person, and I am hopeful that Canadians are committed to creating a more inclusive, safe and equal society for all citizens.

I believe that our youth are the key, and one example of youth engagement is the visit to Parliament Hill of the Daughters of the Vote. This morning, I was at the House of Commons and I saw the young Daughters of the Vote sitting in that place, and I was inspired to see all those young faces looking at us and able to say that they could be our future. The Government of Canada had partnered with Equal Voice to bring 338 young women from across the country, and it was very inspiring. I hope tonight to meet them and congratulate them on being here with us.

As the UN Women's website states:

International Women's Day is a time to reflect on progress made, to call for change and celebrate acts of courage and determination by ordinary women who have played an extraordinary role in the history of their countries and communities.

I wish all women and men who work diligently to increase gender equality a very happy International Women's Day. Please

take time today to celebrate and remember and thank those girls and women in your life who are important to you.

CHARLIE LOWTHIAN-RICKERT

CONGRATULATIONS ON FEMMY AWARD

Hon. Grant Mitchell: Honourable senators, today I rise to pay tribute to Charlie Lowthian-Rickert. Charlie has done and continues to do exceptional work to promote gender equality. In fact, Charlie is an 11-year-old trans-girl who wants to make the world a better place. She began identifying as a girl by age three. Despite her youth, she is no stranger to transgender activism.

In 2015, Charlie came to Parliament Hill, along with many friends from the LGBTQ community, and spoke on Parliament's steps to encourage senators to pass Bill C-279.

In 2016, Charlie participated in the United Way's Path to Pride Campaign. And last August she was chosen as Grand Marshal of Ottawa Capital Pride, the youngest person ever to receive this honour.

Last spring, she joined the Minister of Justice in the foyer of the House of Commons to help announce Bill C-16. The bill, as you know, is intended to protect individuals from discrimination within the sphere of federal jurisdiction and from being targets of hate propaganda as a consequence of their gender identity or their gender expression.

This past fall, Charlie participated in a film about Bill C-16 in cooperation with the Canadian Human Rights Commission, and she is currently working on a number of other projects to improve awareness about gender diversity and support Camp Ten Oaks and Family Services of Ottawa.

Charlie continues to visit churches, schools, organizations and agencies to encourage more children to be unafraid to use their voices and to help adults understand gender variance in children.

Today, on International Women's Day, Charlie will be receiving a special award in recognition of her remarkable efforts. The Femmy Awards honour people located in the National Capital Region who have made outstanding contributions to the ongoing struggle for gender equality.

As Charlie grows up, she wants to continue advocating for transgender rights and may consider running to become a member of Parliament. Perhaps one day she'll arrive in the Senate.

In her own words, Charlie says she has met people who don't accept her for who she is, but "it's probably because they don't understand. They don't know, and they don't know how to react. So I'd like to teach them."

I ask all honourable senators to join me in congratulating Charlie Lowthian-Rickert on earning this Emmy Award and thanking her for her tireless efforts to promote gender equality.

• (1420)

NUNAVUT

CAMBRIDGE BAY—HOMELESS SHELTER

Hon. Dennis Glen Patterson: Honourable senators, today as a former Minister for the Status of Women for the Northwest Territories, I wish to join my honourable colleagues to acknowledge International Women's Day.

I recall one of my first public appearances as Minister for the Status of Women in 1981 was to join a march against pornography down the main street of Franklin Avenue in Yellowknife with a women's group protesting against the launch of an X-rated TV channel on the local cable service.

But today I rise to congratulate the Hamlet of Cambridge Bay, Nunavut, for opening Nunavut's second men's shelter. I had the privilege of cutting the ribbon at their opening on February 9, alongside Mayor Jeannie Ehloak. The timing of this opening is serendipitous as the Senate has just released its study on housing in Inuit Nunangat and identified the need for transition housing and for more housing for homeless Nunavummiut.

The shelter, the Omingmak Centre, received funding from the Government of Nunavut's Ministry of Family Services, Health Canada and CMHC, to renovate a building that had been donated to the hamlet and maintain an eight-bed homeless shelter.

Since its opening, on a day when the temperature was minus 33 degrees centigrade, the shelter has run at full capacity and currently has a waiting list. It's hoped that further funding can be secured from territorial and federal departments to enable the hamlet to expand the facility, double the capacity and invest in better washroom facilities for the residents.

In a territory whose climate is harsh and unforgiving in winter, it is imperative that safe, clean and appropriate shelter be made available to Nunavut's homeless. Sadly, the need is great in these communities due to a lack of traditional housing options in Nunavut.

I wish to thank Ministers Duclos and Philpott and their officials, and Minister Mike of the Government of Nunavut, for their support of this important initiative and encourage the federal government to continue supporting this much-needed housing initiative. I would like to recognize the achievement of the Hamlet of Cambridge Bay in establishing a "homegrown solution" with the support of the territorial and federal governments. Thank you. *Qujannamiik.*

[Translation]

ROUTINE PROCEEDINGS

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON MARCH 28, 2017

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, March 28, 2017, 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.

[English]

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, March 28, 2017, at 2 p.m.

[Translation]

L'ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

MEETING OF THE POLITICAL COMMITTEE, APRIL 11-13, 2016—REPORT TABLED

Hon. Dennis Dawson: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Assemblée parlementaire de la

Francophonie (APF) respecting its participation in the meeting of the Political Committee of the APF, held in New York, United States, from April 11 to 13, 2016.

CANADIAN NATO PARLIAMENTARY ASSOCIATION

JOINT MEETING OF THE UKRAINE-NATO
INTERPARLIAMENTARY COUNCIL AND THE
SUB-COMMITTEE ON NATO PARTNERSHIPS,
NOVEMBER 23, 2015—REPORT TABLED

Hon. Joseph A. Day (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 Canadian NATO Parliamentary Association respecting the joint meeting of the Ukraine-NATO Interparliamentary Council and the Sub-Committee on NATO Partnerships, held in Brussels, Belgium, on November 23, 2015.

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
EXTEND DATE OF FINAL REPORT ON STUDY OF
INTERNATIONAL MARKET ACCESS PRIORITIES
FOR THE CANADIAN AGRICULTURAL
AND AGRI-FOOD SECTOR

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

That, notwithstanding the order of the Senate adopted on Thursday, January 28, 2016, the date for the final report of the Standing Senate Committee on Agriculture and Forestry in relation to its study on international market access priorities for the Canadian agricultural and agri-food sector be extended from March 31, 2017 to May 31, 2017.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
STUDY THE POTENTIAL IMPACT OF THE EFFECTS
OF CLIMATE CHANGE ON THE AGRICULTURE,
AGRI-FOOD AND FORESTRY SECTORS

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

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report upon the potential impact of the effects of climate change on the agriculture, agri-food and forestry sectors and the actions undertaken to increase adaptation and emissions reduction strategies, as well as to know more about the opportunities within their sectors that come with climate change. The emphasis will be placed on:

- (a) The measures for the adaptability and resilience of the agriculture, agri-food and forestry sectors; including the opportunities and risks associated with climate change in terms of the expansion of farmland, grazing land, and forestry production;
- (b) The repercussions of the establishment of carbon pricing mechanisms on the competitiveness of

stakeholders in the agriculture, agri-food and forestry sectors.

- (c) The role that the federal, provincial and territorial governments can play in meeting the target for the reduction of greenhouse gas emissions; and

That the committee submit its final report to the Senate no later than June 30, 2018, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

[English]

CONTROLLED DRUGS AND SUBSTANCES BILL

BILL TO AMEND—NOTICE OF MOTION FOR
INSTRUCTION TO COMMITTEE

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

That it be an instruction to the committee to which Bill C-37, An Act to amend the Controlled Drugs and Substances Act and to make related amendments to other Acts, was referred that it divide the bill into two bills, in order that it may deal separately in one bill with the provisions relating to exemptions for supervised consumption sites contained in clause 42 of Bill C-37 and related provisions, and in the other bill with the other provisions of Bill C-37.

QUESTION PERIOD

FOREIGN AFFAIRS

NIGERIA—MISSING CHIBOK GIRLS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

• (1430)

On this day, International Women's Day, I stand first in solidarity with the survivors of World War II military sexual slavery. These hundreds of thousands of young women and girls were sexually enslaved in that period. They are in their nineties and now number in the tens. They are still waiting for the true apology but more importantly for a world free of sexual slavery in all its forms.

As you would recall, leader and honourable senators, one night in April 2014, 276 female students were abducted from a school in the town of Chibok, Nigeria. The terrorist group Boko Haram later claimed responsibility for their kidnapping. Thankfully, 21 of the school girls were reunited last year with their families, but the vast majority remains missing almost three years later.

In the aftermath of this terrible crime, Canadians joined together with people from all over the world to express outrage and concern for these girls. Shortly after the abduction, the previous Conservative government provided assistance to the Government of Nigeria to help return the school girls to their families.

What is the Government of Canada doing today? Is it still providing assistance to the Nigerian government to help find the girls, or have they been forgotten?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for the question. It is entirely appropriate, particularly on this day, that we all focus on issues of gender violence and the inequities of gender treatment.

I will inquire with respect to the specifics of the Nigerian issues that were raised, but I want to provide to this chamber a statement issued this morning by the Minister of Foreign Affairs in respect to Canada's international role in advancing women's concerns and issues. I simply want to quote the minister:

I know that our foreign policy must ensure the needs of women and girls are fully accounted for in everything we do. Whenever and wherever required, Canada will advocate for women and girls to have equal rights and representation and fair access to all leadership positions and opportunities.

I will inquire about the specifics of the Nigerian case, but I can assure the honourable senator that the foreign policy of the Government of Canada is embracing gender issues wherever they occur.

STATUS OF WOMEN

IT STARTS WITH ONE—BE HER CHAMPION CAMPAIGN

Hon. Nancy Greene Raine: My question is for the Leader of the Government in the Senate.

Almost two years ago, the previous Conservative government initiated a campaign through the Status of Women Canada called *It Starts with One - Be Her Champion*. It encouraged leaders in the public and private sectors to become a champion for a woman by providing her with formal and informal mentoring.

Could the leader tell us what progress has been made with this initiative, and why have we not heard much about it since the election of the Liberals? Could the government leader please make inquiries and tell us if this initiative is ongoing?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question and will do as she has asked me to do. I want to take the occasion, though, to reference the announcements made this morning by the Minister of International Development together with the Prime Minister. They indicated a \$650 million allocation over three years to uphold the provision of health services to women and girls where needed and where funding is being withdrawn by others.

Senator Raine: The announcement this morning was quite different because it says that if another government or another country withdraws funding, we will step in and provide that funding. I personally found that to be very strange in that the actions of the Government of Canada are reactive to another government's decision-making.

I'd like to find out a little bit more about this, please. Could you please tell us who will make the decisions on how we invest our taxpayers' money in these projects overseas? I support 100 per cent the objective of the previous government's commitment to maternal and infant health care, but I'm a little concerned if we start to react to another government's decisions.

Senator Harder: It's important for all senators to recognize the ongoing nature of Canadian foreign policy over the last number of years. This is not about one government or another. Canadian governments have in their aid programs focused on gender issues for many years.

What is unique about this announcement is that Minister Bibeau has, in consultation with a number of like-minded countries, assured the providers of the services that the Government of Canada will step in and ensure that as funding is withdrawn, it will be available to ensure the ongoing delivery of health care and necessary reproductive health services.

This is a comprehensive announcement. The minister will be updating Canadians on a regular basis as to progress, but I think it's significant, particularly on a day like this, that the Government of Canada stands in solidarity with the needs of women and girls around the world.

IMMIGRATION, REFUGEES AND CITIZENSHIP

ASYLUM SEEKERS

Hon. Pamela Wallin: I'm sure many of you today read a story in *The New York Times* about Roxham Road and the heartfelt stories of two very different paths to Canada, one on a country road called Roxham Road and the other on Interstate 87.

As we discussed yesterday with the minister, the Canada-U.S. Safe Third Country Agreement means that refugee claimants are required to request protection in the first safe country they arrive in. That means that if you go down Interstate 87, refugees or potential refugees can't ask for asylum at a legal border crossing. Meanwhile, a technicality allows those who take Roxham Road to bypass the agreement if they come in by foot illegally. Once on Canadian soil, we allow a refugee claim, while others who also have legitimate reasons to claim refugee status are turned away because they have chosen a controlled border point.

To the Government Representative and through you to the Minister of Immigration, Refugees and Citizenship, will the government close this loophole so that asylum seekers are treated equally under the law and so that we are not unwillingly encouraging illegal activity that place great stress on border towns, their local governments and their residents?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question and for having

raised this in the past, along with several other senators. I will pass on the question as presented.

I want to reassure the senator and all senators that the Canada-U.S. Safe Third Country Agreement is an important component of our refugee protection infrastructure. It's an important bilateral arrangement, and it is one that the Government of Canada is monitoring closely, as the minister has publicly said several times.

You will know that Homeland Security Secretary John Kelly will be visiting Canada this week and I'm sure this issue will be raised.

• (1440)

With respect to those claiming refugee status that arrive in Canada illegally — that is to say, without presenting themselves at a border — the protection afforded under the Charter through the Supreme Court decision with respect to refugee determination guarantees that right to make a claim.

I want to assure the honourable senator that, because there have been issues as to whether or not these cases present so-called queue jumping, their cases are determined in the order that would flow from their presentation. There is no separate queue for this, although they are given priority attention to ensure that appropriate documentation and security measures are in place.

Like the honourable senator recognized in her question, the small towns in Canada that have been involved in this are doing an exemplary task. The ministers have visited a number of those locations and the government is monitoring this situation very closely.

[Translation]

FOREIGN AFFAIRS

EARLY ENFORCED MARRIAGE

Hon. Pierre-Hugues Boisvenu: My question is for the Leader of the Government in the Senate. Today, on International Women's Day, I would like to express my admiration for women and the contributions they make to life in Canada.

I would like to draw your attention to the recent report published by Save the Children, which indicated that approximately 12,000 girls under the age of 15 get married around the world every day.

In its foreign policy, the previous Conservative government made the abolition of child marriage, or forced and underage marriage, a priority. What is more, Canada and Zambia developed the first UN resolutions on child, early and forced marriage in 2013 and 2014.

I am pleased to learn that your government continued to build on that success last fall. Could the Leader of the Government in the Senate give us more information about other measures that

the current government intends to take to do away with the unacceptable practice of child marriage in the world?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and his long-term interest in this issue. As he referenced, this is a subject matter that the Government of Canada has been actively involved with, particularly through the United Nations, and our ambassador is working with like-minded countries to strengthen the mechanisms available.

I will inquire of the ambassador as to what has happened since the initiatives of last October and report back.

[Translation]

Senator Boisvenu: Could the Leader of the Government in the Senate bring this issue to the attention of the Minister of Justice since we know that Canada is not free from this type of crime, which is subject to prosecution under the Criminal Code? Could the Leader of the Government ask the Minister of Justice whether anyone has been sentenced by Canada's courts in this type of case and whether there are currently any cases before the courts that may not result in sentencing because of the long delays in some provinces?

[English]

Senator Harder: I will do so.

INTERNATIONAL COOPERATION

MATERNAL AND CHILD HEALTH

Hon. Nancy Greene Raine: Honourable senators, I would like to go back to the issue of maternal and newborn child health issues we have around the world. We all know in Canada that we also have a very big problem with missing and murdered indigenous women and girls. We have problems, especially in remote communities, where housing is such an issue that it is causing difficulty for maternal, newborn and child health.

I want to ask the Leader of the Government in the Senate if he would please find out how we balance where our money goes. Are we neglecting what we need to do at home in order to help? It's a fine balance, I recognize, but I'm always a bit concerned that we are not looking after the Third World conditions that we have in our own country.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question.

I would point out that it is the view of the Government of Canada that while there is nothing that cannot benefit from improvement, it is important that we have an activist agenda both in Canada and internationally. We have a demanding role to play as a country that is privileged in this world with respect to our economic well-being.

Certainly our initiatives on the global stage have provided leadership and continue to do so. The announcement today does that, particularly when other governments are choosing to withdraw from providing reproductive health and other basic needs to women and girls.

I am not for a moment saying there is not more that can be done internationally or domestically, but the Government of Canada is of the view that Canada needs to play a leading role internationally, especially at this time.

PUBLIC SAFETY

SEXUAL ASSAULTS ON UNIVERSITY CAMPUSES

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I have another question for the leader.

As the mother of a university student, I am acutely aware of the growing cases of sexual assault on post-secondary campuses across our country. While some administrations have made progress in terms of creating policies, more needs to be done to make victims of sexual assault feel more comfortable coming forward.

There needs to be a united focus on preventing the problem in the first place. There needs to be policies in place that are created with the best interests of the victims at the core, fostering an environment where women feel safe coming forward. Further, there needs to be a clear indication to perpetrators that there are serious consequences to their actions.

Could the Leader of the Government in the Senate please tell us what the Liberal government is doing to assist our institutions in providing a safer environment for all of its students, most particularly women and girls?

Hon. Peter Harder (Government Representative in the Senate): As the honourable senator will know, this is primarily an area of provincial jurisdiction. There are ways in which the Government of Canada is providing support, in its jurisdictional domain and with its resources, this area of service provision. I would be happy to detail those in response to the honourable senator's question, but this is an important area in which there is collaboration by all stakeholders involved, including the institutions themselves.

Senator Martin: In terms of cases of sexual assault, we have the courts. What I'm referring to specifically is fostering that environment where women feel safe, but also making sure that our laws are protecting the victims and that they are not afraid to come forward because the system is not protecting them. Would you speak to that specific issue?

Senator Harder: Yes, I would be happy to. The spirit of the question earlier was with respect to the physical circumstances and the sense of appropriate security.

With regard to the Criminal Code and ensuring the appropriate prosecution and protections, the Government of Canada is deeply committed to ensuring that our Criminal Code conveys a sense of

safety and security, particularly with sex-related criminal activity.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

FAMILIES, CHILDREN AND SOCIAL DEVELOPMENT— CANADA PENSION PLAN DISABILITY BENEFIT

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 21 on the Order Paper by Senator Cordy.

FAMILIES, CHILDREN AND SOCIAL DEVELOPMENT— NATIONAL SENIORS COUNCIL

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 27 on the Order Paper by Senator Carignan.

FISHERIES, OCEANS AND THE CANADIAN COAST GUARD—MARINE PROTECTED AREAS

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 36 on the Order Paper by Senator Carignan.

[Translation]

ORDERS OF THE DAY

CANADA LABOUR CODE

BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, P.C., for the third reading of Bill C-4, An Act to amend the Canada Labour Code, the Parliamentary Employment and Staff Relations Act, the Public Service Labour Relations Act and the Income Tax Act.

Hon. Pierre-Hugues Boisvenu: Honourable senators, I rise today to speak to Bill C-4 at third reading. I am confident that your political independence will enable you to take a critical look at this bill, and above all, to see that it contains certain shortcomings that might even offend your values, in some cases.

Bill C-377 and Bill C-525, passed by the previous government, were built on two fundamental principles, the first of which was to support democratic processes within labour relations in Canada.

[Senator Harder]

• (1450)

[English]

Many experts in labour relations who testified before the Standing Senate Committee on Legal and Constitutional Affairs demonstrated that Canada differs from other industrial countries in union practice, particularly because of the absence of secret voting.

[Translation]

Secret voting is a fundamental principle in modern and free societies when it comes to choosing our leaders and our associations and making strategic decisions on current affairs. On this issue, and according to an expert witness that we heard, Canada is lagging way behind. Unions here are still operating the way they did in the 1960s. I asked the unions what their leaders feared might be compromised by modernizing their charter to include this fundamental principle. The only reason I could come up with is that they are looking after their own, private interests.

[English]

During the course of our hearings, I tried to understand why the union leaders who appeared before the Standing Senate Committee on Legal and Constitutional Affairs demonstrated that much resistance to secret ballots.

[Translation]

I was unable to get any clear answers. As far as I can tell, this is a way of holding on to some form of power and keeping unionized workers in Canada in the dark. Denying union members their right to confidentiality is a show of disrespect by these union leaders. In every democratic society, secret ballots are the foundation of the right to confidentiality.

The other important value in bills C-377 and C-525 — and make no mistake, I really pressed the union leaders on this topic — is that of financial transparency.

Why should this principle be included in Bill C-4? Because every Canadian worker who pays taxes—and lord knows they pay a lot of taxes—is directly funding the privileges enjoyed by organized labour in Canada.

The Charbonneau commission held in Quebec in 2015, which everyone has heard of, demonstrated beyond a reasonable doubt that Quebec's labour unions were about half a century behind in terms of the practices that exist in the rest of the industrialized world. In many cases that were prosecuted in Quebec, union money was used secretly, unbeknownst to members, to benefit a select few with close ties to power. Some union leaders publicly condemned these outdated, despotic practices. Some paid union officials had to step down following these shocking revelations.

[English]

So can we ask the union leaders to adopt corporate practices that are comparable to their peers elsewhere and, above all, transparent in the eyes of Canadians?

[Translation]

Will the government be fair and make the same demands of unions as it does of charities that enjoy similar tax privileges but that are expected to be much more transparent and accountable?

Canada's labour unions enjoy three major privileges. The first, as we all know, is the Rand formula. Few countries offer their unions this privilege. In Canada, if 51 per cent of an organization's employees sign their union cards, 100 per cent of them are unionized even if 49 per cent are against it. That means 100 per cent of the workers are obligated to pay union dues. Some people say that the Rand formula violates Canadian workers' freedom of association, but, as you know, going back to the way things were is a fantasy. Why not give these workers back a little freedom by instituting secret ballot?

The second privilege funded by all taxpaying Canadians, whether they are unionized or not, is tax deductions. Canada's unionization rate is around 20 per cent. In Quebec, it is about 40 per cent. The Government of Canada pays out over \$400 million per year in tax refunds to dues-paying union members. Add to that the tax deductions the provinces grant to unionized workers, money that, let's face it, is paid for using tax dollars from all Canadian workers, even non-unionized workers.

Honourable senators, this situation underscores how important it is that our country get in line with other model countries so that we can offer all Canadian workers, unionized or not, the greatest transparency possible in union operations.

There is a democratic principle that says that when people pay, they have the right to know. If you ignore this right, which should be extended to all Canadian workers, you guarantee the unions' right to shirk their duty to be transparent and accountable, a duty that all other public bodies that enjoy similar privileges have a legal obligation to meet.

Lastly, the third privilege that most union members in Canada enjoy is that of job protection. Most union members in Canada work in the public, parapublic and quasi-public sectors. The unionization of those sectors dates back to the 1960s, at least in Quebec. It was a good thing, because it helped spur the end of patronage in many areas of the public sector across the country. Unionization is also what secured us some of the best working conditions and salaries in the industrialized world, through modern collective bargaining.

[English]

Honourable senators, before concluding, I wish to comment politely on some of the statements made by Senator Bellemare in her speech in defence of Bill C-4, of which she is the sponsor in this house.

[Translation]

Senator Bellemare, if you are claiming that the sponsors of Bill C-377 and Bill C-525 had anti-union leanings and attitudes, please allow me to retort by saying that I find your arguments in favour of Bill C-4 to be obviously pro-union. I thought I heard the same arguments that we heard from union leaders who appeared before the Legal and Constitutional Affairs Committee to defend the status quo and protect their vested interests. I'm sure you would agree that our role as senators is to rise above such partisan squabbles and defend certain principles on behalf of the majority of Canadian workers, who, I would remind you, are not unionized.

In response to a question about transparency posed by my colleague Senator Carignan, you spoke at length about the constitutionality of the law passed by the former government in

that regard. You even asserted, without any hesitation, that these laws were unconstitutional because they infringed on privacy and imposed obligations, such as the obligation for unions to disclose the types of activities they are engaged in. Some of you felt that Bill C-377 and Bill C-525 went too far in that regard. We must therefore seek to make amendments to modernize the rules governing unions in Canada and strike a balance between transparency and respect for privacy. That is our role as legislators.

[English]

Honourable senators, I wish to remind you that 80 per cent of the workers in Canada are non-unionized and are paying the cost of the privileges enjoyed by the 20 per cent who are unionized.

[Translation]

I remind you that unions are public organizations that are certified by the state. I would also like to remind you that the non-profit organizations that benefit from similar tax privileges in Canada are subject to even more stringent regulations governing transparency, and even have to go so far as providing identifying information. I was the president of a non-profit organization that received tax benefits because of the donations it received. Every year, I had to submit the names of the donors and their contact information. I had to submit that identifying information to the government.

Why then should unions be protected by the government and excluded from those same rules governing transparency?

That is why, honourable senators, Bill C-4 does not respect the values that we defend in this chamber on behalf of all Canadian workers. Bill C-4 does not respect Canadians who are not unionized and whose jobs are always threatened when the country experiences an economic crisis. It does not respect the Canadians who are paying for the privileges enjoyed by unions.

It is therefore imperative that unions be required, not just encouraged as they are in Bill C-4, to be transparent in the administration of their funds. It is imperative that unions be required to adopt a modern, more democratic approach. It is not tyrannical for this chamber to impose these requirements, and they are not unconstitutional. It is simply a matter of making Canada a modern country and, more importantly, letting Canadian workers know that we respect them.

[English]

I heard that it is necessary to restore the balance that bills C-377 and C-525 have defeated in Canada's trade union-business relations.

[Translation]

I have tried to understand why some senators are so keen to pass Bill C-4 without amendment, but I am at a loss. If the balance these senators speak of has been upset, then surely there are indications of that. I suppose there must have been a marked increase in complaints by union organizations, which should come as no surprise to us given the unions' knack for rallying their members.

[Senator Boisvenu]

• (1500)

I could talk about the sometimes violent student protests in Quebec, which almost toppled the Charest government in 2012. I would remind senators that these student protests were in part funded by Quebec unions.

Did workers take to the streets or call in to radio programs to condemn Bill C-377 or Bill C-525? Some union leaders did. However, when they testified before the Standing Senate Committee on Legal and Constitutional Affairs, these leaders sounded more interested in regaining their privileges than in restoring balance. In my opinion, the arguments of union leaders and proponents of the bill were unclear.

Therefore, I invite you, honourable senators, to make this a modern and democratic bill that promotes transparency for all Canadian workers by making the amendments required to move in that direction. Thank you.

Hon. Senators: Hear, hear!

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Would the honourable senator take a question?

Senator Boisvenu: With pleasure.

Senator Bellemare: I listened carefully to your speech, Senator Boisvenu. You are of the opinion that taxpayers pay too much for information they do not receive. I say that they could have this information for free.

My question is this: Can you explain your attitude towards Bill C-377 given that six other countries have passed fairly similar and even at times more stringent laws that, unlike Bill C-377, also apply to employers?

The U.S. did a study on how much it costs unions to comply with mandatory disclosure. Calculations for Canada show that cost to be in the neighbourhood of \$200 million to \$300 million per year. Senator Boisvenu, unions don't have that kind of money, so those costs would affect how much members have to pay in union dues. Union dues would definitely go up. The cost to taxpayers would also go up significantly following the implementation of Bill C-377 even though, in most provinces, the Canada Labour Code governs information disclosure and enables people to access the information they want at no cost.

In short, I don't understand your argument. Would you please explain it to me?

Senator Boisvenu: The first part of my answer may make it seem like I am being facetious, but during the student protests in Quebec, we learned through the Access to Information Act that one union gave a student union \$10,000 to rent a bus so that young people from the regions could get to Montreal to protest.

If we look at the total amount of money allocated to union activities, which, I would remind you, is an unknown amount, at all of the money allocated to undisclosed union activities in

Canada, such as supporting political parties or political activities, I'm sure that would be more than enough to ensure greater transparency.

Here is the second part of my answer: during Standing Senate Committee on Legal Affairs meetings, no evidence was presented about this costing Canadians \$200 million to \$300 million. I don't think the transparency model was the same as the one in the U.S. It didn't go quite as far.

In conclusion, I believe that we could amend Bill C-4 to establish a minimum level of transparency at a lower economic cost.

The Hon. the Speaker: Excuse me, Senator Boisvenu, but your time is up. Would you like to continue?

Senator Boisvenu: I just need another minute, please.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

Senator Boisvenu: As I was saying, Bill C-4 should be amended in order to ensure a minimum level of transparency, not voluntary transparency, but mandatory transparency, for the 80 per cent of Canadians who finance the social benefits enjoyed by the 20 per cent of workers who are unionized, benefits to which other Canadians are not entitled.

Quite simply, I am asking whether we are open to making these amendments.

Hon. Pierrette Ringuette: I would like to remind the honourable senator that it is not just unionized workers who receive tax benefits from union dues—

The Hon. the Speaker: Senator, do you wish to ask a question?

Senator Ringuette: Yes.

The Hon. the Speaker: Senator Boisvenu, would you like to request five more minutes?

Senator Boisvenu: No.

(On motion of Senator Ringuette, debate adjourned.)

[English]

CITIZENSHIP ACT

BILL TO AMEND—THIRD READING— DEBATE SUSPENDED

Hon. Ratna Omidvar moved third reading of Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act.

She said: Honourable senators, I want to make a small confession. I've never been one for numbers, and the numbers of motions, bills and inquiries have frankly confounded me, but I

promise you this: Bill C-24 and Bill C-6 are forever branded on my soul.

Both these bills have been part of my journey in this chamber, and I haven't travelled alone, and that has made it a lot easier, and I want to commend a few people who have travelled this road with me. My sponsor, Senator Jaffer, who is not in the chamber today; our facilitator, Senator McCoy; my staff, Dana Wagner and Stephanie Saunders; and Lorne Waldman and Josh Patterson from the British Columbia Civil Liberties Association. A journey is always made that much easier when someone is travelling with you, even if sometimes it is a crawl and sometimes it is a sprint, and Bill C-6 has been both of those.

This, colleagues, is in large part a repeal bill. It repeals significant sections of Bill C-24, but it does not repeal the entire bill, leaving certain aspects of the bill that I believe are useful and sensible. In a nutshell, this bill is all about citizenship: who gets it, who keeps it, who loses it and under what conditions. So I would suggest to you that these are matters of great importance.

Bill C-24 was passed into law in June 2014. As a matter of curiosity, I went back into the record to find out how long the debates took, which were preceded, by the way, by a pre-study in committee.

The bill was introduced at first reading on June 16, 2014. It went to second reading on June 17, 2014. It was passed into law on June 19, 2014. I would say this was an astonishing standard of efficiency.

In comparison, Bill C-6 was introduced at first reading on June 17 of 2016, and I spoke at second reading on September 27 of last year. Today, colleagues, is March 8. Forty-eight chamber sitting days have elapsed since second reading, and I am reminded of what I have heard people on all sides of this chamber say again and again: It is our job to discuss, deliberate and decide.

I have observed, instead, a great deal of delay, deferral, and sometimes even dawdling, if I may say so, but I am hopeful. I'm a positive person, for those who speak Persian, they will know "Omidvar" means hope. I am a hopeful person. I'm hoping this is a narrative of the past and we are in a new era of cooperation and collegiality.

• (1510)

I am really pleased to tell you that Senator Frum, who is the critic of this bill, has informed me that she does not intend to delay discussion. I'm looking forward to that, because delays impact lives like Reza Jannatlou, who wanted to become a citizen. Three years ago, Bill C-24 was brought into law. His application was delayed. He's been hoping for Bill C-6 to be passed, and he writes to me to say:

If Bill C-6 gets approved, we can apply for our citizenship now, but if we need to wait years for this Bill to pass in the Senate . . . what difference would it make for our lives?

I will also suggest that delays impact our discussions. We risk losing the thread of the narrative — our discussions, our arguments — when it takes so long to pass from one stage to another. Just to aid my frail memory, in the first case, but also to

bring all my new colleagues onto the same page, I will take a little time to go over the main elements of the bill before getting to what was heard and observed in committee.

During different parts of the debate, we asked a foundational question: Is citizenship a right or a privilege? One of Canada's top legal minds, Audrey Macklin from the University of Toronto, helped us to understand the difference in law between the two concepts of right and privilege as these apply to citizenship.

She stated:

A privilege in law is the conferral of a discretionary benefit onto an individual. A privilege belongs not to the individual who holds it but to the authority that confers it, and it can be taken away. When we say citizenship is a privilege, not a right, what we are really saying is that it belongs to the government. It can give it and take it away as it wishes.

But she concludes:

Citizenship, in law, is a right. Once you have it, you hold it as a right.

I'm no lawyer, and I give lots of deference to the lawyers in this room who would argue with me on the fine points. I think one of the unintended benefits of being a senator is you have to learn how to lawyer, which for someone like me is a scary thing, I have to say.

I will take a more pedestrian view of things. It was my and my family's incredible privilege for which I can never be grateful enough the day I was allowed to come into this country as a permanent resident. But since that day, I have earned every inch of my way to my citizenship, and that citizenship is my right.

I also believe that the sooner immigrants become citizens, the sooner they start to take ownership. Two weeks ago I was at a citizenship ceremony and I met a young citizen. His name was Salah, and he said to me:

Being a permanent resident is like renting an apartment. Becoming a citizenship elevates you to ownership.

You look after your house and your garden differently when you own it.

This is also borne out by research from the OECD. Citizens have greater attachment to the labour market and greater trust in participation in our institutions because they have permanency. This commitment goes both ways — commitment to and by the citizen.

I hope I can say what I want to say in less than my prescribed 45 minutes; that will be my everlasting contribution to Senate modernization. If I can say something in a small amount of time so much the better. But this bill is complicated, and as I said, it has many nuts and bolts to it.

I want to acknowledge that the bill was amended in the House of Commons to create a legal obligation on the minister to accommodate the needs of applicants who have a disability and to

add statelessness as grounds for discretionary grants of citizenship by the minister.

I'm going to go over the clauses one by one. First, clause 3 repeals subsection 10(2) of the Citizenship Act, which are the national interest grounds for revoking the citizenship of dual citizens.

Bill C-6 repeals the authority to revoke citizenship for dual citizens, and I underline "dual citizens," convicted of crimes of treason, terrorism, and espionage. In doing so, it seeks to put an end to a law that treats different kinds of Canadian citizens differently for the same crime.

Colleagues, the nub of the issue is not that terrorism is a heinous crime, perhaps the worst of crimes. The issue is not that it should be punished most severely. The nub of the issue is that it seeks to put an end to a law that treats different kinds of citizens differently for the same crime. In my pedestrian language: different strokes for different folks.

I put forward two arguments why this is a principled and sensible change. First, such a revocation is likely unconstitutional. Second, there is zero evidence that it achieves its intended national security aim, which is to make us safer.

First, constitutionality: The current law treats two terrorists differently based on their citizenship.

Let me try and paint this in a picture, and let me pick on my absent colleague Senator Grant Mitchell as an example. He is a born Canadian and I am naturalized, having acquired citizenship by fulfilling all the criteria. I gave up my Iranian citizenship, which I acquired by marriage, when I became a Canadian citizen. But the Iranians, by the way, don't buy that, because the minute I'm on Iranian soil, I'm an Iranian to them; they will treat me as one of their citizens.

If Senator Mitchell and I, for some unimaginable reason, conspire to commit a terrible act of terrorism on Canadian soil, and thankfully our wonderfully efficient security services — CSIS, RCMP, our local police forces — nab us in time and no one is hurt. We are both tried in a court of law. We are both sentenced, but I am given the added punishment of citizenship revocation. After my term in prison is completed, I am packed off to Iran. He is not, because no other country would take him, and we cannot make him stateless as we are signatories to the UN Convention on the Reduction of Statelessness. Here we have the first part of the problem — differential treatment for different citizens.

Colleagues, this is one of a number of likely Charter violations. In committee, we heard that this part of the law likely violates sections 1, 7, 12 and 15 of the Charter.

One of these likely Charter challenges relates to the second point I will argue, that this form of revocation achieves no legitimate aim. In so doing, let me address the elephant in the room, which is fear.

I will admit to fear every time I travel. I will admit to fear every time I go through an airport, especially when I am overseas. I worry about losing my family and those I love. I want our laws to

keep us safe, and I know the critics and opponents of this bill want the same.

Let us ask, what objective does revocation accomplish? Does it make us safer? In committee, a national security law professor, Craig Forcese, told us he looked for evidence and policy rationale and an ATIP, an Access to Information and Privacy request, to CSIS, and he found none. He found no indication that there were broader policy considerations to the security impacts of this measure. In fact, he got a one-page document saying that CSIS would comply with government policy.

Without any policy diagnostics, let me turn to expert opinion. Expert opinion says that the revocation of citizenship of terrorists who are dual citizens does maybe the opposite because it displaces the threat by removing people to other jurisdictions where it is much harder for us to keep track of them. Ray Boisvert, another security expert, said that we're simply "punting" our terrorists to another place and exporting them without regard to the safety of people there.

• (1520)

I think, colleagues, we will all agree on this point. I went back to the records of the *Debates of the Senate* and found references to this point in 2012 as Bill S-7, the Combating Terrorism Act, was discussed. Senators who are now opposed to Bill C-6 said then:

We have an international responsibility to do what we can to implement measures that will not just prevent terrorism attacks from happening here and injuring our own citizens, but injuring anyone around the world.

It also weakens intelligence gathering — they're so much harder to get to. I believe exporting terrorism and terrorists exposes assets and Canadian lives overseas — because we have assets, embassies and businesses overseas — and is a distraction from the real consequences and solutions, namely that resources are not put toward counter-radicalization and counter-violence strategies because we are going to send the person somewhere else so why make the investment?

Let me move on to another misconception we have heard time and again. A common critique of repealing this provision goes something like this: "We revoke the citizenship of war criminals, so why not revoke the citizenship of terrorists?" The answer is that we do not revoke the citizenship of war criminals because of their crimes as war criminals; we revoke their citizenship because they lied on their applications. They misrepresented themselves in their citizenship and permanent resident status and, therefore, the citizenship should never have been granted to them in the first instance. They gained it through fraudulent means, so we must take it away. Whereas repealing citizenship of someone who got it the right way, whether they are good, bad or ugly, if they got it the right way and then went on to be convicted of terrorism or treason, that is something completely different.

Second, clauses 1(5), 1(8), 1(11), 1(12) and 7 remove the requirement that an applicant intend, if granted citizenship, to continue to reside in Canada. All applicants who apply for

citizenship must tick off a box on their forms that says, "I intend to reside in Canada if I become a citizen." It is one of the many criteria you have to fill out. In other words, if you tick this off, you're committing to stay in country. But as we know, life changes. You may get a job somewhere else, like other Canadians do. You may fall in love and follow your love, like other Canadians do. You may want to go to school somewhere else, like other Canadians do. By ticking off this box, however, you are left with a vague fear that you may not and that if you do, you run the risk of losing your citizenship because you lied or misrepresented yourself on your application form.

Senators, I believe that this clause was introduced into Bill C-24 to address the "Canadians of convenience" phenomenon. Canada is not a hotel, it said. Become a citizen; live here. For all the right reasons, maybe we have a bad law. It contradicts the basic right of freedom of mobility, suggesting that naturalized citizens have limited mobility rights.

The law, by the way, is contradicted on the website of IRCC, which says that once you become a Canadian citizen, you have the right to enter, remain or leave Canada, one the basic rights of citizenship and embedded in our Constitution.

So, which is it? Am I required to stay or free to go? Naturalized citizens are left in the unfortunate position of second-guessing their rights.

Removing this clause will remove confusion. It will provide reassurance to applicants that they do not risk losing their citizenship if they choose to travel or move. Let's put this confusion to rest.

Third, clauses 1(1), 1(2), 1(3), 1(7) and 9 reinstate previous reduced residency requirements to obtain citizenship. Previously and for a very long time — even as far back as 1985, when I became a citizen — you were required to provide proof that you had been a resident in Canada for a full three years which you could earn over four years, so three out of four. Bill C-24 changed that to four out of six. Bill C-6 takes it back to where it was, three, but extends that time you can use to gain it to five years, so three out of five years.

As was noted in second reading by proponents and critics of this change, there was no real evidence for lengthening these time requirements, as I will admit there is no real evidence for changing them back. Bill C-24 has been law for such a short time, it would be difficult and unscientific for me to draw any conclusions on trends, outside of remarking that citizenship applications have fallen drastically.

We did not hear much witness testimony about this remark, outside of hearing that Bill C-24 made citizenship harder to get and easier to lose and Bill C-6 reverses that trend. How you think about it, colleagues, will depend very much on whether you think it serves us better to have more people in the tent more quickly, participating fully, than standing outside in the metaphorical cold. It will depend on whether you think, as I do, that there should be a high bar for entry into this country and, once cleared, a welcome mat for citizenship.

Fourth, clause 1(7) reinstates residency credit for temporary residents and protected persons. I'm not going to dwell too much on this. This reinstates residency credit for temporary residence. Each full day counting as a half day for a maximum of one year will impact very positively on international students.

Fifth, clauses 1(6), 1(9), 1(10), 1(13) and 13 reinstate previous age requirements to meet language and knowledge criteria to obtain citizenship. This clause heard quite a lot of debate. This is the clause that will lower the exemption age for taking the language and citizenship test from 65 years back to where they were before, 55 years. Fifty-five years has been noted again and again in this chamber and in committee. Fifty-five years is young. It is not old. People who are 55 have full lives ahead of them. They're active and healthier, so why would we lower the bar on language and knowledge in this context, as 55 is really the new 45?

I thought about this. Let me reflect a moment on those for whom the old 55 is the new 45. It is certainly the case for people who are educated; who have a secure income; who have access to drug and dental plans; who can now and then afford to go on vacation; who are members of a union or a professional association; who are volunteers in their community and have a wide social network. They have quality of life because they are healthy and secure. I think they are people like us. I'm absolutely delighted to tell you that I am 67-plus going on 45-minus.

But the 55 I'm talking about is poor, lives on the margins, has no dental or drug plans, possibly works two or three jobs, possibly gets hired only through temp agencies which skim off from their minimum wage, cannot think of going on a vacation let alone volunteering, and has no time to go to either English or French classes because they're too busy putting food on the table. This, honourable senators, is more like 55 going on 65.

I met one such 60-year-old at that same citizenship ceremony. She was a Vietnamese grandmother who had been here for 15-plus years. This was her third try at citizenship. She had her three children and her various grandchildren around her. They were all citizens, outside of the grandmother. Her daughter explained to me that she had enough English to go to work and she worked every day in a restaurant, but not to take the test and pass.

Every time she took the test, the fees went up. So she was good enough to work, I thought. She was good enough to pay taxes. She was good enough to bring up kids who were going to university, but she was not good enough to become a citizen.

I believe that this exemption at age 55 will benefit mostly people on the margins, people who are in some form of precarious employment and, in particular, sponsored spouses who do not have to meet the language test when they come to Canada. There is a gender impact on this clause.

Sixth, clauses 11 and 12 will provide new authority to citizenship officers to seize submitted documents if there are reasonable grounds to believe the document was fraudulently or improperly obtained or used.

[Senator Omidvar]

• (1530)

Colleagues, I know time is short and we want to get to other business today, so I'm not going to speak for my allotted time. Instead, I want to observe one issue about Bill C-6.

I think Bill C-6 is a good bill, but I have often heard that the Senate is the place where bills get not just approved but improved, and this bill needs improvement. There is a special issue with revocation of citizenship applications, and I look forward to hearing an amendment about that later.

I want to close now and evoke for my new colleagues that image of the big Canadian house: a strong house with a strong protective door, a roof that guards against fraud. It is a house with a strong foundation, as expressed in fairness and equality of treatment — a house with lots of light, lots of windows, and a blazing fire signalling that we are all welcome.

Colleagues and senators, this is the house I want to live in. I hope you do, too.

The Hon. the Speaker: Senator Omidvar, would you take a question?

Senator Omidvar: Yes, of course I will take a question.

Hon. Serge Joyal: Thank you for your presentation. I have a question in relation to section 10.7 of the Citizenship Act. It's the section dealing with the Federal of Court Appeal procedure. I am not clear if the committee has recommended an amendment to that section and what exactly that amendment changes on the appeal procedure to that court.

As you know, section 10.7 as it stands before, I hope, its potential amendment, appeal was restricted only in cases of serious issues:

[Translation]

... the judge certifies that a serious question of general importance is involved and states the question.

[English]

I have a lot of concern with that section of the Citizenship Act. I understand that the committee in its report suggests amending it.

Could you explain the substance of the amendment that the committee has contemplated to propose to the Senate?

Senator Omidvar: The committee heard testimony but did not make amendments. I'm looking forward to soon hearing amendments on that very issue in this chamber.

Senator Joyal: In other words, the committee was not seized with a proposed text to that section of the act?

Senator Omidvar: Some of us were seized with it, but I do not believe that the amendment being considered was ready in time. You will hear about an amendment momentarily.

Senator Joyal: I see the government leader signalling with the movement of his face that an amendment to that section will be introduced, and we can then contemplate the scope of it and whether we can support it.

Senator Omidvar: Senator Joyal, I would say “from your mouth to God’s ears.”

Hon. Daniel Lang: Colleagues, I welcome the debate on this particular bill. It’s a bill that has long and serious implications for the country.

The Hon. the Speaker: Excuse me, Senator Lang, are you on debate or asking a question?

Senator Lang: I’m asking a question.

I would like to go back to the original point I was making at the outset, before I get to my question. To my new-found friend, the sponsor of this bill, because a person agrees or disagrees with certain clauses of this bill, it doesn’t make one more Canadian or less Canadian than another. It’s a disagreement on what the terms and conditions should be when somebody applies to this country and wants to take part in the opportunities that Canada can provide him or her and their families. It also applies to all of us as Canadians and what we think about our country.

That being said, I am concerned about the section referred to in the question of the repeal of the ability for cabinet to revoke the dual citizenship and Canadian citizenship of those who have committed a terrorism act in this country. Just for the record, 33 other countries have that particular principle in legislation in one manner or another for the purposes of recognizing a heinous crime and the question of terrorism and what terrorism can do to a country.

The sponsor of the bill has made the broad statement that we would be safer to have these individuals in this country, who have turned their back on this country and actually committed an act of treason and who have also threatened to destabilize the political, social and economic well-being of the country. Is the honourable senator aware that there are now reports coming out of countries such as the United Kingdom, where individuals have been convicted of acts of terrorism, and after they have done their time, from the point of view of the sentence given, they have come out of prison more radicalized in some cases than when they went in?

I ask because would you not be concerned that these individuals will go back into their communities and continue to spread the hate and intolerance that has created the situation we are facing today? Do you have any concerns in that respect?

Senator Omidvar: Yes, Senator Lang and I are new-found friends. I think we share a common perspective of the world from five-foot-something. That is a commonality we have. That was a joke, by the way.

You said there were 33 countries that revoke citizenship. There are 35 OECD countries that do not. Let me name them for you: Austria, Finland, Germany, Iceland, Italy, Norway, Portugal, Spain, Sweden and others. By the way, the United States has revocation on its books but is constitutionally unable to do that. France had such a law and pulled back because it was unable to do that.

This question of comparing ourselves to other countries — what happens in the U.K.? I don’t know what happens in U.K. jails, but I think I can imagine.

I will say that we are not those countries. We do not have that long history of colonization and going out into other countries. The U.K. colonized great parts of the world. And we do not have a long history of exclusion like they do. We have a different system. Our immigrants and children do better. There is a better sense of being part of the mainstream.

I’m not suggesting that people who are sent to prisons come out completely deradicalized and pure. I think they need to be watched for all our safety. We would want to ensure they are not continuing to spread their violent ideas, and we would do this with any Canadian. I go back to the point that good, bad or ugly they are Canadians, and we have to treat them in the law in the same way.

• (1540)

Senator Lang: I want to follow up on that.

I want to say at the outset that the fact that an individual happens to be fortunate enough to have dual citizenship, that citizen has more benefits than you and I as a Canadian if we do not have dual citizenship, because it gives access to another country that we perhaps do not have and the benefits of that.

That being said, I want to ask the senator if she is aware that in the escalating world that we live in, in the terrorism acts that are being conducted around the world, is she aware that there are approximately 50 dual nationals with Canadian citizenship that are presently involved in terrorism activity overseas in Syria, Iraq and other countries?

Senator Omidvar: I’m not aware of those particular statistics. I don’t know the source of that. If they have gone overseas to do harm to others, I think there are laws. I’m not sure. There are lawyers in this room who could tell us which laws would apply, but it’s not the citizenship law as it’s currently conceived.

I will say this: When you say they are dual citizens and derive a double benefit, I think you misstate the case, senator, because sometimes your dual citizenship is not yours for wanting. It’s put upon you and it can never be taken away from you. In this case I will use my personal example: The minute I set foot in Iran, I am an Iranian. That’s the truth of the matter. That is not something to do with our citizenship laws. It is something to do with their citizenship laws.

Senator Lang: I want to follow up on this, so that we can get this on the record. It’s fine for the senator to use herself as an example, but generally, when one has dual national citizenship, it’s by choice and they have that opportunity to renounce it or to turn their back on it.

In your case, that's fine, but I'm saying generally they do, and I'm saying it's a benefit that most Canadians don't have.

Senator Omidvar: I don't want to belabour the point further. There are a number of countries in this world and it has nothing to do with me as an individual; it has something to do with Iran. There are countries in the world that do not let go of their citizenship, Iran and Syria and a couple of others. You could be the son or the daughter of a second-generation immigrant, you've never been to this country in your life, and you are deported back there. I don't think that's right.

Hon. Lillian Eva Dyck: I would like to follow up on the question with regard to dual citizenship and committing a terrorist act. Has the senator had an opportunity to look at the penalties in the Criminal Code for a terrorism act? Of course there are various levels, and I don't know if the bill speaks to the different levels. For instance, if you are convicted of instructing someone to carry out a terrorist act, the sentence is life imprisonment. So that is a very serious offence. The person may come up for parole, but the chances are not likely they would be granted parole.

Has the senator taken the penalties for the various criminal acts related to terrorism into account with respect to this issue of whether or not citizenship would be revoked, and whether that argument is really valid, that somehow we are going to be releasing these people who will continue to be a danger to Canada?

Senator Omidvar: I have not studied the Criminal Code and the variety of sentencing options available. I did remark a month ago on the release of Inderjit Singh Reyat, who probably committed the most serious terrorist crime against Canadians. He was released into community service after 25 years in prison. So I think there are variations. Life imprisonment, per se, I don't have the complete answer to your question. I apologize.

Senator Dyck: After a 25-year imprisonment, would you consider that that person wouldn't really be connected to any groups that he had been connected with previously, so that his threat to Canada would probably be diminished considerably? What are your views on that?

Senator Omidvar: I'm a little challenged with that question, Senator Dyck. I frankly don't know. At the Human Rights Committee, we are doing a study on prisons. Ask me two years from now when the study is complete, and maybe I can let you know.

Hon. Lynn Beyak: Will the honourable senator take a question?

Senator Omidvar: Yes.

Senator Beyak: One year ago, a *Huffington Post* article indicated that a vast majority of Canadians were opposed to the Trudeau Liberals repealing Bill C-24. A year later the number is higher because of the points that Senator Lang raised. Could you explain to those Canadians why the bill is proceeding in light of their feelings?

Senator Omidvar: I'm going to make it short because I think there is other business we want to get to.

Senator Beyak, I will answer the question. I believe the government ran on an election promise to do precisely what this bill suggests, and we have to make law based on principle and evidence.

Hon. Kim Pate: Perhaps I might assist a little on one of the questions. If someone is serving a life sentence in this country, they are on parole and supervised for their entire life whether or not they are still in prison. In order to get out of prison, are you aware that they have to establish to the Parole Board that they no longer pose a threat to society?

Senator Omidvar: Thank you, Senator Pate. You are an expert on these issues, and I am learning daily from you. If you are telling me that this is the condition right now, then I feel more secure in my arguments than less.

Hon. Salma Ataullahjan: Of all the people who have committed acts of terror or who are convicted of acts of terrorism, were they all dual citizens?

Senator Omidvar: In fact, many of the people who are either in prison because they have committed crimes of terrorism or will be in prison because they committed a dastardly crime, like a couple of weeks ago in Quebec, are not dual citizens.

Hon. Yonah Martin (Deputy Leader of the Opposition): Would you take a question?

Senator Omidvar: Any time.

Senator Martin: I need to ask because you can refuse, as you know.

I recall the legislation that we had with our previous government, and we called it the Strengthening Canadian Citizenship and Immigration Act. By strengthening, I was looking at the value of citizenship. I understand you talked about exporting terrorism and that we want to remove people from our country, but I'm looking at the value of citizenship and the message that we need to send to all Canadians and especially young Canadians who could be quite impressionable. After the enactment of the bill that had the revocation of citizenship as a government tool or option, in very rare cases of individuals who committed acts of terrorism, high treason, treason or spying offences, do you know how many Canadians were actually captured after the enactment of that bill?

• (1550)

Senator Omidvar: What I do know is that, currently, one individual has had their citizenship revoked and that citizenship is currently in the process of being restored because of the election and because of Bill C-6, and nine notices were issued under the new grounds of conviction of terrorism. They are all, sort of, in holding, or whatever you call it in legal language.

Senator Martin: There have been approximately 10 cases of these very rare examples or situations, so I guess the point I want to stress and on which I want to ask your opinion is this: This provision does not capture a vast number of Canadians. What we are talking about are rare instances of acts of treason or terrorism and spying offences.

I would think that the value of citizenship is such that we have a high bar as to when this would be applied, so I'm trying to

understand your justification for removing this provision, which the Government of Canada may need, in very rare circumstances, as you have demonstrated by citing only 10 cases since 2015.

I was listening carefully for why this would be something we must do. Would you try and convince me again why, when this strengthens our system and ensures that we provide the Government of Canada something they can use in these rare instances of terrorism, high treason and spying on one's own country?

Senator Omidvar: Thank you, Senator Martin, for your question. I believe I answered that question in both my second and third reading speeches. All I will say is that the law needs to be fair and it needs to be blind to source of citizenship; once a citizen, always a citizen. We must trust and have faith in our security system, our police, justice and parole systems. In fact, by exporting our terrorists elsewhere we are telling these really important institutions, "We don't trust you to do your jobs." I think I have made my case and thank you for your question, Senator Martin.

The Hon. the Speaker: Senator Omidvar, your time has expired. Are you asking for more time for questions?

Senator Omidvar: I don't want to stop the discussion. I'm happy to keep having the discussion, so if Your Honour would allow Senator Carignan to ask a question, I will try and answer it.

The Hon. the Speaker: I believe it was Senator Martin who rose to ask the question, but is it Senator Carignan who wishes to ask? Is permission granted for time to answer the question?

Hon. Senators: Agreed.

[Translation]

Hon. Claude Carignan (Leader of the Opposition): Thank you, Senator Omidvar, for agreeing to take my question on requiring newcomers to Canada to learn one of our two official languages.

My son works as a volunteer at an employment centre in Toronto where he helps newcomers write their resumé to help in their job search. This has made him realize that language is a major obstacle for newcomers trying to settle here. Do you not believe that if we lowered from 65 to 55 the mandatory age for learning one of our official languages as a criterion for immigrating to Canada that this would be a major obstacle to employability for immigrants 55 and over?

Does the government plan to provide any support at all to help immigrants learn one of our official languages? What can we do to help these people enter the workforce?

[English]

Senator Omidvar: Thank you for your question, senator. I can give you a very short answer or a very long answer.

I believe our government does a fairly good job in helping immigrants find employment but it can always do much, much better. I am disturbed by some of the cutbacks in language

training. When I became a citizen we had citizenship classes. We sat in a room together and learned about citizenship. All of that is gone. I would love to see some of that come back.

By the way, unless you are applying for a job in the federal public service, I don't believe citizenship is ever questioned in your job application but I completely agree with you that language is the best indicator of employability and we must do everything we can to get people more language — more English and French — so they can get those jobs.

Congratulations to your son.

Hon. Elaine McCoy: Thank you all for a very entertaining discussion, so far.

Like most of us in this room today, I think we are natural-born Canadians and I have to say I never gave two thoughts —

Senator Martin: I apologize, senator.

The Hon. the Speaker: Did you have a question, Senator Martin?

Senator Martin: Just a point for clarification. We are on debate, senator, so may I just remind the chamber that our critic is Senator Eaton and that we reserve the 45 minutes for her?

Senator McCoy: Absolutely.

The Hon. the Speaker: Senator Martin, that is not at issue right now. Senator Eaton will certainly have her 45 minutes. Senator McCoy is on debate.

Senator Martin: It was because Senator McCoy is the second speaker. I wanted to put that on record. Thank you.

Senator McCoy: Thank you.

Let me start again and say that I have really never given any thought to citizenship, and yet it probably is as close a definition of my identity as I can come up with.

I am, of course, Canadian but when I first was following this legislation, well, Bill C-24 a couple of years ago, my ears perked up because it did something that has been a trend in our legislation over the past 10 years, which I thoroughly disagree with, and that is giving more and more decisions, or even search and seizure provisions without a warrant, to the discretion of the minister.

We've been frequently eroding some of our protections on our own privacy, safety and individual rights, but I'm particularly unhappy when I hear that a minister, instead of cabinet, gets to make a decision because what you are really doing is setting up a structure where one person gets to make the decision. You know that we all say, off the tops of our heads, that a dictator is awful because it's a one-person government, but that's essentially what we do when we put one person — a minister — in control.

Now, when I looked at the Citizenship Act, I was surprised. My goodness, the first 20 pages is all about how you can be a citizen and then the next six — only six — are all about revocation.

And yet it is the one person, this minister, who gets to make that decision now and doesn't even need to talk to anyone about it or take it in front of his or her colleagues at cabinet to make the case that that revocation should go forward, and I don't think that's right.

I also started looking into it a little further because I know what happens inside a government, and we confirmed this at committee. Yes, the minister has the discretion, but does the minister exercise that discretion? In fact, no, the exercise of this discretion is delegated and in this case I was curious about how far the delegation went. It goes down into the belly of the department.

I went on the website and started counting the levels, keeping in mind I'm not counting the cabinet level anymore because that's not the law. The ministerial level is now number one. Then it goes to the deputy minister —

The Hon. the Speaker: Senator McCoy, it's now four o'clock and we have to adjourn. When we return to this item, you will have the balance of your time on debate.

Senator McCoy: That would be most agreeable.

(Debate suspended.)

(The Senate adjourned until Thursday, March 9, 2017, at 1:30 p.m.)

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