SENATE SÉNAT

CANADA

DEBATES OF THE SENATE

1st SESSION • 42nd PARLIAMENT • VOLUME 150 • NUMBER 114

OFFICIAL REPORT
(HANSARD)

Tuesday, May 2, 2017

The Honourable GEORGE J. FUREY
Speaker

This issue contains the latest listing of Senators, Officers of the Senate and the Ministry.

CONTENTS

(Daily index of proceedings appears at back of this issue).

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
Publications Centre: Kim Laughren, National Press Building, Room 926, Tel. 613-947-0609

Published by the Senate
Available on the Internet: http://www.parl.gc.ca

THE SENATE

Tuesday, May 2, 2017

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

Prayers.

SENATORS' STATEMENTS

JOURNEY TO FREEDOM DAY

Hon. Thanh Hai Ngo: Honourable senators, I rise today in commemoration of the annual Journey to Freedom Day, which was marked for the third time on April 30. This day commemorates the journey countless Vietnamese refugees made to escape communist oppression after the fall of Saigon on April 30, 1975. At that time, hundreds of thousands of Vietnamese refugees fled to the sea in search of freedom.

Over 60,000 brave refugees were welcomed into Canada with open arms, thanks to the Private Sponsorship of Refugees Program. These new Vietnamese-Canadian citizens made Canada their home thanks to that generosity.

This year is a historic one for the Vietnamese-Canadian community. Our values are embodied in the yellow- and red-striped Vietnamese freedom and heritage flag. Over the weekend, this flag was raised in Queen's Park for the first time. Yesterday, the said flag was raised alongside the Canadian flag for the first time on Parliament Hill.

[*Translation*]

It was truly an honour to see the Vietnamese freedom and heritage flag raised on Parliament Hill. This flag that flew freely in the winds over Parliament represents an historic event. This occasion marks 42 years of success of the Vietnamese community in Canada since the dawn of its modern era.

[*English*]

I think it is fitting that this year, as Canada celebrates the one hundred fiftieth anniversary of Confederation, parliamentarians mark the occasion by wearing scarves adorned with the colour of freedom for the first time in both the House of Commons yesterday and in the Senate today. Thank you all, dear colleagues, for wearing the freedom scarf as a statement of the Journey to Freedom Day and in honour of Canada's humanitarian tradition.

[*Translation*]

UNITED NATIONS

ELECTION OF SAUDI ARABIA TO THE COMMISSION ON THE STATUS OF WOMEN

Hon. Josée Verner: Honourable senators, I rise to denounce the recent election of Saudi Arabia to the United Nations Commission on the Status of Women for a term of four years.

I also find it regrettable to see the troubling lack of reaction by members of the government, especially the Prime Minister, who has openly declared himself a feminist in Canada and abroad.

Honourable senators, this commission is the primary international organization exclusively dedicated to the promotion of women's rights and gender equality.

On April 22, the executive director of UN Watch, Hillel Neuer, a Canadian, said and I quote:

> Electing Saudi Arabia to protect women's rights is like making an arsonist into the town fire chief.

Like Mr. Neuer, I believe we can legitimately question the motives that favoured Saudi Arabia behind closed doors at the UN. That country is known as one of the worst places in terms of the rights of women and girls. It may be the most misogynistic country in the world.

A report published by the World Economic Forum in 2015 ranked Saudi Arabia 134th out of 145 countries with regard to the promotion of gender equality. This damning record is especially relevant when it comes to the participation of women in economic development, the labour market, and political life.

More recently, Human Rights Watch's *World Report 2017* condemned the fact that the male guardianship system remains intact despite pledges to introduce reform.

Under this system, women cannot do ordinary, everyday things without courting retribution from their husbands or the religious police. Girls face the harsh reality of forced marriage.

In December 2015, 38 women were elected or appointed to councils with a total of 3,159 members across Saudi Arabia, which is just over one per cent.

According to the report, Saudi authorities ordered municipal councils to apply the guardianship system to their meetings by confining women to separate rooms and allowing them to communicate with their male colleagues only by video link.

Honourable senators, this is 2017. We would never allow gender-based segregation policies like that to govern debate here, in the other place, or in any United Nations body.

Join me in speaking out against Saudi Arabia's election to the Commission on the Status of Women. It is time for the Prime Minister to walk the talk and stand up for the Canadian values of advancing women's rights and promoting gender equality around the world.

Hon. Senators: Hear, hear!

[*English*]

SPEECH AND HEARING MONTH

Hon. Terry M. Mercer: Honourable senators, May is Speech and Hearing Month. Each May, Speech-Language & Audiology Canada, SAC, raises public awareness about communication health. SAC represents 6,200 communications health professionals across Canada. I am proud to recognize the work of each speech-language pathologist, audiologist and communications health assistant across Canada.

The ability to communicate is fundamental to our everyday lives. One in six Canadians has a speech, language or hearing problem. In fact, I'm wearing hearing aids to communicate with you and everyone else in my life. Hearing loss is the third-most-prevalent chronic condition, behind arthritis and hypertension.

Honourable senators, this year SAC is encouraging everyone to take the communication awareness social media challenge led by the Pan-Canadian Alliance of Speech-Language Pathology and Audiology Professional Associations.

Try to imagine yourself with a hearing or speech problem. How would you communicate a message to others if you had difficulty communicating? You could use sign language, written words or pictures, or perhaps use a communication board or an app on your phone. You can take the challenge by using #communicateawareness and include reactions to the difficulties you faced, how it made you feel and how others responded.

Honourable senators, too often we take for granted the ability to communicate with each other, so I encourage you to pay attention to your communications health and spread the word about the important work the professionals do to help us communicate and learn.

THE HONOURABLE VICTOR OH

Hon. Donald Neil Plett: Honourable senators, 130 years ago, Mr. Xu Wah Oh gathered up his meagre belongings, took his wife and three sons, and left his home in Anxi County in the Chinese province of Fujian.

They walked down the mountain they lived on, a trek that took more than one full day. They then continued walking another four and a half days to the city of Xiamen where they boarded a sailboat destined for Singapore, a voyage that would take the better part of two and a half months.

• (1410)

Here Mr. and Ms. Oh raised their three sons, eking out a living as best they could.

Colleagues, 10 days ago Senator Housakos and I, along with our wives Demi and Betty, had the honour of accompanying Mr. Oh's great grandson, Victor, as he and his wife, Rosabela, returned for the very first time to Fujian province and his ancestral home on top of this mountain.

We, of course, were driven up the mountain in a modern bus, albeit on a very winding road. We then walked the last half a kilometre on the same path that Mr. Oh and his family had walked down 130 years ago. The path had been paved for us, just two days prior to our arrival. There were no cement trucks or cement mixers anywhere in sight. Indeed, all of the concrete had been mixed and carried up the mountain by hand.

Here Senator Oh received a hero's welcome as most of the village was there to greet him. The fireworks were something to behold. Senator Oh was honoured and revered like no one I had ever seen. He was truly their hero. He was a Canadian senator, appointed on merit, and he was one of theirs.

After a great meal and a ceremony, Senators Oh, Housakos and I planted a tree in Senator Oh's honour, a tree that we are told will live for hundreds and maybe thousands of years.

From here we travelled a couple of hours to a tree plantation. Again, Senator Oh was the hero. The local people had built a giant wooden structure, under which we again had tea. After tea, we moved to the plantation where three signs were erected, one for each of us — Senator Oh, Senator Housakos and me. They had three rows of tea shrubs laid out for us, and we were asked to plant these shrubs. Here is where my and Betty's agricultural experience showed as we had our row finished before team Oh or team Housakos had even finished half of theirs.

We were promised that the fruits of our labour would be realized in about two years, and that they would regularly send us our tea after each harvest. So we can now say that we are doing our part for "all the tea in China."

Colleagues, Senator Oh is an example of entrepreneurship and ambassadorship both in Canada and abroad, and he was rightly honoured. I am so proud that I was part of this. We are truly fortunate to have him in the Senate. Colleagues, please join me in recognizing a great Canadian and a great friend, Senator Victor Oh.

Hon. Senators: Hear, hear!

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ruth Wittenberg, chair of the Art Gallery of Greater Victoria Board and President of the British Columbia Association of Institutes and Universities. She is a guest of the Honourable Senator Bovey.

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

Hon. Senators: Hear, hear!

[*Translation*]

EXPO 67

FIFTIETH ANNIVERSARY

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Dear colleagues, I rise today to mark the fiftieth anniversary of an important moment in our country's history. In April 1967, as part of the Centennial celebrations, Canada opened itself to the world. Montreal hosted the 1967 World Exposition, Expo 67, which had the theme Man and His World. For Montreal and for Quebec, the 1967 World Exposition also marked a turning point in the Quiet Revolution, which had begun in the early 1960s.

In 1967, I could feel the excitement taking hold of the city of Montreal. I really wanted to work as a hostess at one of the Expo 67 pavilions. Unfortunately, you had to be 18 and I was not old enough.

The event inspired hope and turned us toward the future; it opened the world to us by drawing on the dreams of the young, shaping the cultural identity of an entire generation that I belonged to. The event, which everyone celebrated, welcomed more than 50 million visitors, or two and a half times the population of Canada that year. Our country was a superstar around the world.

Passports in hand, ready to be stamped at the entrance of the pavilions, we were ready to take over the world, from Greece to Japan, by way of the Netherlands and even the USSR. The pavilions of France and the United States were spectacular structures.

I remember the euphoria and the excitement brought on by the culture shock and all the new technologies being presented. In 1967, the population of Quebec and Montreal was rather homogeneous. What memories!

We had to be creative and innovative as we prepared to host the world here in Canada. First, the subway needed to be built, and it was inaugurated in the fall of 1966. Next, after meeting the challenge of building the islands in the St. Lawrence, which required some 28 metric tons of rock as fill, most of which came from the excavations for the Montreal metro and material from the bottom of the river bed, the city's road network also had to be revamped in order to welcome thousands of visitors.

The workers responded very capably to these major infrastructure challenges. Six months before the opening, approximately 6,000 labourers were working on the site. I have to wonder if we would be able to achieve as much, in such a short time, today in 2017.

As a final point, honourable senators, did you know that the idea of hosting the World's Fair in Montreal came from a senator who was also the Speaker of this chamber? Indeed, the idea was publicly expressed for the first time by Quebec Senator Mark Drouin on August 25, 1958, at the World Exposition in Brussels. He suggested that Montreal should host the World Exposition in 1967 to mark Canada's centenary. This just goes to show that great ideas can come from the upper chamber.

Hon. Senators: Hear, hear!

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Hugh Patrick Brush and Uta Berthold-Brush from Nova Scotia. Their daughter Hannah is a student at the University of Ottawa. They are guests of the Honourable Senator Bernard.

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

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

TOBACCO ACT NON-SMOKERS' HEALTH ACT

BILL TO AMEND—TWELFTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I have the honour to present, in both official languages, the twelfth report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with Bill S-5, An Act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other Acts

(*For text of report, see today's* Journals of the Senate*, p. 1769*.)

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

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

• (1420)

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

SECOND REPORT OF COMMITTEE PRESENTED

Hon. A. Raynell Andreychuk, Chair of the Standing Committee on Ethics and Conflict of Interest for Senators, presented the following report:

Tuesday, May 2, 2017

The Standing Committee on Ethics and Conflict of Interest for Senators has the honour to present its

SECOND REPORT

Your committee, which has taken into consideration the Senate Ethics Officer's *Inquiry Report under the Ethics and Conflict of Interest Code for Senators concerning Senator Meredith*, dated March 9, 2017, in accordance with section 49 of the *Ethics and Conflict of Interest Code for Senators*, herewith presents its report.

Respectfully submitted,

A. RAYNELL ANDREYCHUK

Chair

(*For text of report, see today's* Journals of the Senate*, Appendix, p. 1788*.)

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

Senator Andreychuk: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(f), I move that the report be placed on the Orders of the Day for consideration later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Andreychuk, report placed on the Orders of the Day for consideration later this day.)

[*Translation*]

THE SENATE

NOTICE OF MOTION TO EXTEND WEDNESDAY'S SITTING AND AUTHORIZE COMMITTEES TO MEET DURING SITTING OF THE SENATE

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, notwithstanding the order adopted by the Senate on February 4, 2016, the Senate continue sitting on Wednesday, May 3, 2017, pursuant to the provisions of the Rules;

That committees of the Senate scheduled to meet on that day be authorized to sit after 4 p.m. even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto; and

That the provisions of rule 3-3(1) be suspended on that day.

[*English*]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE COMPOSITION OF THE COMMITTEE OF SELECTION AND EACH STANDING COMMITTEE

Hon. Joan Fraser: 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 April 4, 2017, the date for the final report of the Standing Committee on Rules, Procedures and the Rights of

Parliament in relation to its study of the composition of the Committee of Selection and each standing committee be extended from May 9, 2017 to May 31, 2017.

[*Translation*]

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORT ON STUDY OF INTERNATIONAL MARKET ACCESS PRIORITIES FOR THE CANADIAN AGRICULTURAL AND AGRI-FOOD SECTOR WITH CLERK DURING ADJOURNMENT OF THE SENATE

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 permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate, between May 9 and May 30, 2017, a report relating to its study on international market access priorities for the Canadian agricultural and agri-food sector, if the Senate is not then sitting, and that the report be deemed to have been tabled in the Chamber.

[*English*]

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Fabian Manning: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

That the Standing Senate Committee on Fisheries and Oceans have the power to meet on Tuesday, May 2, 2017, at 5 p.m., even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

The Hon. the Speaker: On debate, Senator Manning?

Senator Manning: I'm trying not to say much today, honourable senators. The Standing Senate Committee on Fisheries and Oceans has witnesses from out of town who are scheduled to appear this evening in relation to the committee's examination of Bill S-203, and they already have arrived in Ottawa.

[Senator Fraser]

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

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to the motion adopted in this chamber Thursday, April 13, 2017, Question Period will take place at 3:30 p.m.

QUESTION PERIOD

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table answers to the following oral questions: first, the response to the oral question of November 30 by the Honourable Senator Downe, concerning International Experience Canada; second, the response to the oral question of December 13 by the Honourable Senator Boisvenu, concerning the rights of victims; third, the response to the oral question of February 1 by the Honourable Senator Enverga, concerning family re-unification; fourth, the response to the oral question of February 8 by the Honourable Senator Eggleton, concerning forced adoptions; fifth, the response to the oral question of February 8 by the Honourable Senator Dagenais, concerning the mission in Ukraine; sixth, the response to the oral question of February 9 by the Honourable Senator Ngo, concerning Taiwan international participation; seventh, the response to the oral question of February 15 by the Honourable Senator Boisvenu, concerning parole; eighth, the response to the oral question of February 15 by the Honourable Senator Boisvenu concerning parole; ninth, the response to the oral question of February 16 by the Honourable Senator Carignan, concerning diafiltered milk; tenth, the response to the oral question of February 28 by the Honourable Senator Oh, regarding children in immigration detention; eleventh, the response to the oral question of February 28 by the Honourable Senator McIntyre, concerning the review of Will Baker's case; twelfth, the response to the oral question of February 28 by the Honourable Senator Jaffer, concerning programs and initiatives; thirteenth, the response to the oral question of March 2 by the Honourable Senator Patterson, concerning the Infrastructure Bank; fourteenth, the response to the oral question of March 2 by the Honourable Senator Carignan, concerning the Champlain Bridge; fifteenth, the

response to the oral question of March 2 by the Honourable Senator Carignan, concerning the Montreal light rail project; sixteenth, the response to the oral question of March 8 by the Honourable Senator Martin, concerning Nigeria; seventeenth, the response to the oral question of March 28 by the Honourable Senator Patterson, concerning Arctic fisheries; eighteenth, the response to the oral question of March 29 by the Honourable Senator Downe, concerning the Confederation Bridge; nineteenth, the response to the oral question of March 30 by the Honourable Senator Jaffer, concerning Canada Border Services Agency and the detention of refugee children; and twentieth, the response to the oral questions of April 5 by the Honourable Senator Patterson, concerning Nunavut carbon tax.

CITIZENSHIP AND IMMIGRATION

INTERNATIONAL EXPERIENCE CANADA

(Response to question raised by the Honourable Percy E. Downe on November 30, 2016)

- International Experience Canada (IEC) provides reciprocal travel and work opportunities for both foreign and Canadian youth. It supports people-to-people ties, and bilateral relations that can lead to economic spin-offs by building trade/economic bridges in the future.

- International studies have concluded that youth mobility programs have an overall net economic benefit for host countries as participating youth spend more than they earn. These studies also suggest most foreign youth work in seasonal and service based industries, industries that consistently face labour shortages in Canada.

- Immigration, Refugees and Citizenship Canada (IRCC) is focusing efforts on increasing the participation of Canadian youth in the program, evaluating economic and labour market impacts, and building an evidence base to inform future program directions. Efforts include:

  - Reaching out to Canadians to inform them of the personal and professional benefits of an international experience;

  - Working with foreign partners to ensure Canadian youth are aware of the many opportunities abroad; and

  - Undertaking strategic research, including developing a picture of foreign youth (their labour market impact and patterns, economic outcomes, regions and occupations) and looking at motivations of Canadian youth (factors affecting behaviours and decisions) to travel abroad.

PUBLIC SAFETY

RIGHTS OF VICTIMS

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on December 13, 2016)

The Government is committed to ensuring that Canada's criminal justice system meets the highest standards of equity and fairness, holds offenders to account, shows compassion to victims, and upholds the *Charter of Rights and Freedoms*.

Bill C-28, *An act to Amend the Criminal Code* (victim surcharge), would return discretion to judges, and ensure the federal victim surcharge contributes to the objectives of our criminal justice system. Bill C-28 would also uphold the objectives of the surcharge, free the courts of *Charter* challenges, redirect focus onto holding serious criminals to account, and eliminate the administrative costs associated with collecting money from people who simply do not have the means to pay.

To ensure that offenders are held to account, the surcharge would continue to apply to all other offenders, and the surcharge amounts would not change. The funds collected will continue to help support the delivery of services to victims.

(1) The specific amendments found in Bill C-28, *An Act to Amend the Criminal Code* (victim surcharge) were subject to Cabinet Confidence until the Bill was introduced in the House of Commons on October 21, 2016.

The provinces and territories were consulted through the Federal-Provincial-Territorial (FPT) Victims of Crime Working Group (which has representation from all Directors of Victim Services in Canada), the FPT Coordinated Committee of Senior Officials (CCSO) - Criminal Justice, and the FPT Heads of Prosecutions Committee. The provinces and territories were also consulted at a meeting of the FPT Victims of Crime Working Group held on February 29 and March 1, 2016, in Gatineau, Québec.

The Criminal Justice Section of the Canadian Bar Association (CBA) was consulted on the functioning of the victim surcharge provisions at a meeting on February 22, 2016, in Ottawa, Ontario. The CBA has representation from both the Crown and the defence bar.

(2) Bill C-28 clarifies that the amendments will be applied to any offender who is sentenced after the amendments come into force, regardless of whether his or her offence was committed before the coming into force date of this legislation. This amendment is necessary because where legislative amendments that come into force after the time of commission of the offence reduce or mitigate the available punishment for the offence, the offender has a

constitutional right to benefit from the amended punishment provisions at the time of sentencing based on section 11(i) of the *Canadian Charter of Rights and Freedoms*.

IMMIGRATION, REFUGEES AND CITIZENSHIP

FAMILY REUNIFICATION—LOTTERY PROGRAM

(Response to question raised by the Honourable Tobias C. Enverga, Jr. on February 1, 2017)

In recent years, Immigration, Refugees and Citizenship Canada (IRCC) limited the number of parent and grandparent applications it would accept, in order to manage intake and interest in the program, and keep the number of applications from growing.

Following last year's intake process in January, we heard many concerns regarding inequitable access to the application process. IRCC undertook to look at ways to improve the intake system in time for the 2017 intake process. This includes taking into account the concerns expressed by clients and examining a number of options.

On December 14, 2016, the Government announced a change to the application intake process for the Parents and Grandparents Program.

Rather than the January rush to submit applications by courier or mail, changes made to the Parent and Grandparent Program will improve access to the application process, given that the number of applications accepted for intake is limited. In order to give the same chance to all Canadians who are interested in applying to sponsor their parents or grandparents, IRCC heard former applicants and made changes to improve how people can apply to this program.

Under the new process, interested applicants must submit an Interest to Sponsor form, which is available online for a period of time in January. There is no cap on the number of submissions of Interest that IRCC will accept, although only one Interest to Sponsor form per applicant will be considered in the process. Through a process of randomization, IRCC will invite applications from the first 10,000 on the list.

The randomization process will anonymize submissions of interest, by assigning each one a number. The applications will then be shuffled using the tool's random function. The first 10,000 numbers (submissions) in the shuffled list will be invited to submit applications. They will have 90 days to apply, and in the event that 10,000 applications are not received in this time period, additional invitations will be sent.

These changes are about ensuring fairness by giving all interested sponsors access to the application process. Applications selected through this process will be added to the existing processing inventory, which is processed generally in order of receipt. Applications that are already in processing will not be affected by the new intake process.

INDIGENOUS AND NORTHERN AFFAIRS

FORCED ADOPTIONS

(Response to question raised by the Honourable Art Eggleton on February 8, 2017)

The "baby scoop era" was a dark and painful chapter which certainly has created a lifelong legacy of pain and suffering for those young mothers implicated. These women have undoubtedly suffered through immense pain accompanied by a sense of loss, guilt and helplessness. Fortunately we have come a long way from this time, and social policies have improved greatly since then.

The area of responsibility for adoptions lies within provinces and territorial jurisdiction. Federal government involvement is limited to Inter-country Adoption Services only. The federal government supports provinces and territories by obtaining and disseminating information on adoption practices in other countries; facilitating the development of pan-Canadian responses to matters such as unethical or irregular adoption practices; and, promoting communication and working relationships among provinces and territories and across the relevant federal departments.

Rest assured that the first priority of the Government of Canada with respect to inter-country adoptions is to ensure the best interests of the child.

FOREIGN AFFAIRS

MISSION IN UKRAINE

(Response to question raised by the Honourable Jean-Guy Dagenais on February 8, 2017)

- Since the beginning of the crisis in November 2013, Canada has been at the forefront of the international community's support for the Ukrainian people.

- Canada's support is unwavering. On 6 March 2017, Canada announced the extension of its military training mission in Ukraine, Operation UNIFIER, until the end of March 2019.

- Through the extended mission, the Canadian Armed Forces (CAF) will continue its non-combat capacity of training Ukrainian forces personnel in a range of capabilities including small team training, explosive ordnance disposal, military policing, medical training, and modernizing logistics. Furthermore, as conditions permit, the CAF will be transitioning over time to support Ukraine's defence reform process.

- Since the start of the training in September 2015, more than 3200 Ukrainian Armed Forces members have been trained by the CAF. In addition, more than $700 million in assistance (financial, development, security and humanitarian) has been provided to Ukraine since January 2014, including $16 million in non-lethal military equipment.

- Canada's continued engagement in Ukraine demonstrates our reliability as a defence partner as well as our commitment to European security and contributes to regional and international stability, while enabling Ukrainian forces to defend their country's sovereignty.

TAIWAN—INTERNATIONAL PARTICIPATION

(Response to question raised by the Honourable Thanh Hai Ngo on February 9, 2017)

As outlined in the previous Minister's response tabled in the Senate on November 30, 2016, Canada has consistently supported Taiwanese participation in international organizations where there is a practical imperative and where Taiwanese absence would be detrimental to global interests. Global health is one of the areas where Canada welcomes participation from all civil society and the entire global community, including Taiwan.

Canada notes that Taiwan has been an observer in the annual World Health Assembly meetings since 2009 (participating under the name Chinese Taipei) and the Government of Canada is of the view that Taiwan's continued participation is in the interest of the global health community. Taiwan's presence at the WHO allows it to actively participate in the global fight against pandemics and disease, and to join with the global community in sharing information and developing innovative solutions and improvements to global health issues. Taiwan's exclusion would be counter-productive and could create a critical gap in the global health network, in the event of another highly contagious global or regional pandemic such as the 2003 SARS outbreak.

JUSTICE

PAROLE—COMPLAINTS FROM VICTIMS OF CRIME

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on February 15, 2017)

In 2015-2016, the Parole Board of Canada (PBC) had approximately 30,000 contacts with victims.

The PBC received a total of 15 victim complaints since implementing its complaints mechanism on July 23, 2015. Of these, four were assessed as inadmissible.

Complaints that fall outside of the scope of the Canadian Victims Bill of Rights (CVBR) include complaints about the law, parole decisions, record suspensions and issues that fall outside the PBC's jurisdiction.

Of the four complaints assessed as inadmissible, the reasons were as follows: two complaints related to another department's mandate, one complaint where the complainant was not a victim as defined under the law, one complaint that did not fall under CVBR.

From July 23, 2015, to February 15, 2017, Correctional Service Canada (CSC) received 23 complaints from victims of crime through the complaints process. Of these 23 complaints, six were inadmissible and rejected as they did not meet the criteria for resolution under CSC's complaints mechanism, since the issues or offenders were not under CSC's jurisdiction.

PAROLE—COMPLAINTS FROM VICTIMS OF CRIME

(Response to question raised by the Honourable Pierre-Hugues Boisvenu on February 15, 2017)

Since the *Canadian Victims Bill of Rights* (CVBR) came into force on July 23, 2015, the Department of Justice has received thirteen (13) complaints which were submitted with the Department's official complaint form (current to February 15, 2017). Four (4) of those complaints related to the Victims Fund, including one (1) complaint with regards to the Canadians Victimized Abroad component of the Victims Fund, and two (2) complaints related to the Parole Board component of the Victims Fund. The fourth complaint was not the subject of a review because the complainant declined to submit a complaint form to continue the complaint process. The remaining nine (9) complaints were regarding a variety of subjects which did not relate to any Department of Justice programs or services.

The two (2) complaints that related to the Parole Board component of the Victims Fund were the only complaints that fell within the ambit of the CVBR (i.e., victim access to the fund to attend parole board hearings relates to the right to participation under the CVBR), though no infringement of rights was found at the first level of review (i.e., the Director General level). In each case, the complainants were provided with a letter of explanation from the responsible Director General (DG). Neither of the complainants decided to request a further level of review (i.e., Senior Assistant Deputy Minister review) after receiving the DG's response.

With regards to the complaint that related to the Canadians Victimized Abroad component of the Victims Fund, the CVBR applies only to crimes committed in Canada and, therefore, complaints related to the Canadians Victimized Abroad component do not generally fall within the ambit of the CVBR. However, the Department of Justice provided a response explaining why the complaint could not be accepted. In the same manner, the remaining complaints

received, which did not relate to the Department of Justice and did not fall within the ambit of the CVBR, were responded to with an explanation.

AGRICULTURE AND AGRI-FOOD

DIAFILTERED MILK

(Response to question raised by the Honourable Claude Carignan on February 16, 2017)

The Government of Canada fully supports not only the dairy sector, but Canada's entire supply management system. The Government is aware of concerns from the United States dairy industry stakeholders with respect to diafiltered milk exports to Canada.

Diafiltered milk can be imported duty-free from the United States under the North American Free Trade Agreement (NAFTA). The Government administers its imports in accordance with international trade obligations, while recognizing the importance of effective import controls for the supply management system. Canadian officials are engaging with their counterparts in the United States on this topic, and will continue to be transparent with them on issues of dairy policy.

The Government is also aware of the Canadian dairy industry's concerns regarding the use of diafiltered milk in the making of cheese. The Government delivered on its commitment to meet with dairy producers and the Canadian dairy industry and intends to use the feedback from these consultations to inform its decisions. The Government is committed to long-term sustainable solutions that support the continued success and competitiveness of Canada's dairy sector. The Government continues to work closely with dairy producers and processors to find these solutions.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

CHILDREN IN IMMIGRATION DETENTION

(Response to question raised by the Honourable Victor Oh on February 28, 2017)

The Government of Canada is working to improve the immigration detention system and minimize its use. In August 2016, our government announced $138 million to support the new National Immigration Detention Framework in order to expand alternatives to detention; significantly improve conditions at immigration holding centres; provide better mental and medical health services; reduce reliance on provincial facilities; and strengthen partnerships with civil society, including the Red Cross and the United Nations.

In its report entitled *Invisible Citizens: Canadian Children in Immigration Detention*, the University of Toronto's International Human Rights Program recognized that "CBSA has embarked on several new programs to improve transparency, alternatives to detention, and infrastructure," and called this progress "encouraging."

The report also noted that the number of children in immigration detention across Canada "decreased significantly" in 2016-2017.

CBSA legislation and policy are clear that minors are only detained as a last resort. CBSA officers are trained to first consider alternative arrangements with family members or local child protection agencies.

If it is deemed to be in the best interest of the child, and with a parent's consent, there may be instances where minors are allowed to remain in an immigration holding centre in the care of a parent or guardian. The increased availability of community-based alternatives to detention is expected to build on early successes and further reduce the housing of children in detention facilities and minimize separation from parents.

As of November 1, 2016, the CBSA has been publishing detentions statistics, including statistics on minors, on its website: http://cbsa.gc.ca/security-securite/detent-stat-eng.html.

JUSTICE

REVIEW OF CASE OF WILL BAKER

(Response to question raised by the Honourable Paul E. McIntyre on February 28, 2017)

The public safety of Canadians is always of utmost concern to the Government. We are committed to ensuring that our criminal justice system provides the greatest possible protection for our communities.

The decision on whether to discharge an accused who has been found not criminally responsible falls to the Review Board for the particular province or territory in question. It would not be appropriate for the Minister of Justice to comment on the specifics of any particular case.

The Government is committed to ensuring that the *Criminal Code* meets the highest standards of equity, fairness and respect for the rule of law, including those provisions which address those found not criminally responsible.

The Government will continue to monitor this decision and others, to ensure we have a system that is fair and just, and that provides the greatest protection possible to all Canadians.

INTERNATIONAL DEVELOPMENT

PROGRAMS AND INITIATIVES

(Response to question raised by the Honourable Mobina S. B. Jaffer on February 28, 2017)

As part of its strong commitment to gender equality and a feminist lens, Canada is taking a leadership role by championing the sexual and reproductive health and rights of women and girls globally.

On March 8, the Minister of International Development and La Francophonie—along with the Prime Minister—announced an investment of $650 million over three years in funding for sexual and reproductive health and rights. The Minister also announced funding of up to $20 million to five organizations providing critical sexual and reproductive health services and information, while participating in the She Decides conference in Belgium on March 2.

Canada's support will focus specifically on providing comprehensive sexual education, strengthening reproductive health services, investing in family planning and contraceptives, and improving access to safe and legal abortion and post-abortion care. Programs aided by this announcement will help prevent and respond to sexual and gender-based violence, including child early and forced marriage and female genital mutilation and cutting.

INFRASTRUCTURE

INFRASTRUCTURE BANK

(Response to question raised by the Honourable Dennis Glen Patterson on March 2, 2017)

As noted in Budget 2017, the Canada Infrastructure Bank will make strategic investments, with a focus on transformative projects. Whether the Bank also makes investments in smaller projects, or bundles of smaller projects, would depend, in part, on how public sponsors of projects, such as provinces, territories and municipalities, choose to structure projects and whether there is a market for attracting private sector investment into those projects. Project sponsors and private sector investors will have to determine whether smaller projects can be bundled to be of a sufficient scale to justify costs associated with the investment, such as due diligence and legal costs.

The Bank would only be one tool in the Government's *Investing in Canada* plan. Because rural and northern communities have unique infrastructure needs that require a more targeted approach, Budget 2017 indicated that the Government will invest $2.0 billion over 11 years to support a broad range of infrastructure projects, to be allocated to provinces and territories on a base plus per capita allocation basis. In addition, smaller communities will have access to green, trade and transport, culture and recreational categories, as well as ongoing Gas Tax funding.

INFRASTRUCTURE AND COMMUNITIES

CHAMPLAIN BRIDGE

(Response to question raised by the Honourable Claude Carignan on March 2, 2017)

The Government of Canada is delivering on its commitment to a new, toll-free Champlain Bridge that will support economic growth for the Greater Montreal region and ensure that people and goods can travel safety and smoothly. We are also committed to ensuring the safety of Champlain Bridge users and the sound management of public funds.

The New Champlain Bridge construction site is one of the largest in North America and, like all infrastructure projects of this size, certain technical issues can arise during the construction period. However, we have mechanisms within our contract to ensure issues of this type can be effectively resolved.

The December 1, 2018 delivery of the new Champlain Bridge remains the objective.

Since a lawsuit has been filed in the Superior Court, we cannot comment further.

MONTREAL—LIGHT RAIL PROJECT

(Response to question raised by the Honourable Claude Carignan on March 2, 2017)

The Government of Canada is currently considering the infrastructure investment proposal for the REM project, which the Caisse de dépôt et placement du Québec has asked the Government of Canada to participate in as an equity investor. Given the nature of this complex project, and the financing structure, the Government is conducting appropriate due diligence on the investment. Government officials are also working closely with counterparts in the Province of Quebec to support open communication and exchange of information related to the project. A decision regarding the Government of Canada's financial participation in the project will be made following completion of the due diligence process.

FOREIGN AFFAIRS

NIGERIA—MISSING CHIBOK GIRLS

(Response to question raised by the Honourable Yonah Martin on March 8, 2017)

The Government of Canada encourages all parties to continue negotiations to secure the safe release of the remaining Chibok girls and of all victims abducted by Boko Haram.

In the Joint Communiqué of the fifth Nigeria-Canada Bi-National Commission, signed by the former Minister of Foreign Affairs and his Nigerian counterpart, Geoffrey Onyeama, on November 7, 2016, "Canada expressed its commitment to supporting the ongoing initiatives of the Nigerian government aimed at addressing the security challenges in the North East".

As announced by the Minister of Immigration, Refugees and Citizenship on behalf of the Minister of International Development on March 17, 2017, the Government of Canada will provide $119.25 million in humanitarian funding to help crisis-affected people in Nigeria, Yemen, Somalia and South Sudan, including $27.35 million specifically for Nigeria in 2017, which represents more than three times the humanitarian funding provided in 2016.

Through the Counter-Terrorism Capacity Building Program, the Government of Canada also continues to support vulnerable countries, including Nigeria, in strengthening their efforts against terrorist threats, including Boko Haram.

FISHERIES AND OCEANS

ARCTIC FISHERIES

(Response to question raised by the Honourable Dennis Glen Patterson on March 28, 2017)

Budget 2017 proposed funding for the expansion of Fisheries and Oceans Indigenous commercial fisheries development programming. The development of the program will follow engagement with Indigenous organizations, including discussions with Inuit organizations.

TRANSPORT

CONFEDERATION BRIDGE

(Response to question raised by the Honourable Percy E. Downe on March 29, 2017)

The Confederation Bridge is a federally-owned asset for which the Government of Canada has an operating agreement. The current agreement is with Strait Crossing Bridge Limited to operate the Bridge until 2032. Under the operating agreement, the Bridge Operator has the authority to amend the tolling structure and rates.

Transport Canada's role with respect to tolls on the Confederation Bridge, is to review annual changes to the tolling structure and rates to ensure that they are in compliance with the provisions of the agreement.

The tolling structure and rates are in compliance with the provisions of the agreement between Transport Canada and Strait Crossing Bridge Limited.

PUBLIC SAFETY

CANADA BORDER SERVICES AGENCY—DETENTION OF REFUGEE CHILDREN

(Response to question raised by the Honourable Mobina S. B. Jaffer on March 30, 2017)

The Government of Canada is working to improve and minimize the immigration detention system. In August 2016, the Government announced $138 million to support the new National Immigration Detention Framework in order to expand alternatives to detention, significantly improve conditions at immigration holding centres (IHC), provide better mental and medical health services, sharply reduce reliance on provincial facilities, and strengthen partnerships with civil society, including the Red Cross and the United Nations High Commission for Refugees.

In its report entitled *Invisible Citizens: Canadian Children in Immigration Detention*, the University of Toronto's International Human Rights Program recognized that "CBSA has embarked on several new programs to improve transparency, alternatives to detention, and infrastructure," and called this progress "encouraging."

The report also noted that the number of children in immigration detention across Canada "decreased significantly" in 2016-2017.

While CBSA officers are trained to first consider alternative arrangements with family members or child protection agencies, minors may be allowed to remain in an IHC if it is deemed to be in their best interests not to be separated from a detained parent or guardian.

When evaluating the minor's best interests, CBSA considers factors including: the child's physical safety and medical, psychological and emotional needs; the opinion of the child, the parent or guardian, and child welfare organizations; the willingness and ability of a close friend or relative to care for the child; the availability of alternative arrangements with local child care agencies; and the risk of continued control by human traffickers who may have brought the child to Canada.

It is extremely rare for a minor to be in detention for a reason other than avoiding separation from a primary caregiver. CBSA has begun publishing detentions statistics, including statistics on minors, on its website: http://cbsa.gc.ca/security-securite/detent-stat-eng.html.

NATURAL RESOURCES

NUNAVUT—CARBON TAX

(Response to question raised by the Honourable Dennis Glen Patterson on April 5, 2017)

The Government of Canada released the pan-Canadian approach to pricing carbon pollution in October 2016, calling for all Canadian jurisdictions to have carbon

pollution pricing in place by 2018. Recognizing the unique economy and circumstances of each province and territory, the pan-Canadian approach provides provinces and territories flexibility in deciding how to implement carbon pricing - they can put a direct price on carbon pollution or they can adopt a cap-and-trade system. The provinces and territories will keep the revenues to use as they see fit — whether to give back to consumers, support their workers and their families, help the vulnerable, or otherwise.

The Pan-Canadian Framework on Clean Growth and Climate specifically recognizes the unique challenges faced by Northern and remote communities with respect to pricing carbon pollution, compared to the rest of Canada, including high costs of living and of energy, food security, and emerging economies. As indicated in the Framework, the federal government will work with the territories to find solutions to address their particular circumstances. As part of this effort, a study to assess the implications of carbon pricing for the territories is expected to be launched this spring and completed in the fall.

ANSWERS TO ORDER PAPER QUESTION TABLED

MINISTERIAL APPOINTMENTS

Hon. Peter Harder (Government Representative in the Senate) tabled the answer to Question No. 25 on the Order Paper by Senator Carignan.

ORDERS OF THE DAY

ETHICS AND CONFLICT OF INTEREST FOR SENATORS

SECOND REPORT OF COMMITTEE— DEBATE ADJOURNED

Leave having been given to proceed to Other Business, Reports of Committees, Other, Order No. 32:

The Senate proceeded to consideration of the second report of the Standing Committee on Ethics and Conflict of Interest for Senators, entitled *Consideration of an Inquiry Report from the Senate Ethics Officer*, presented in the Senate earlier this day.

Hon. A. Raynell Andreychuk moved the adoption of the report.

She said: Honourable senators, I rise today on behalf of the Committee on Ethics and Conflict of Interest for Senators to speak to the second report of the committee, concerning Senator Don Meredith. This report and the words that I will speak are on behalf of all four members of the committee.

On March 9, 2017, the Senate Ethics Officer provided the committee with her inquiry report concerning Senator Meredith. The committee deposited the inquiry report with the Clerk of the Senate on the same day, at which time it became public. In the past few weeks, the committee has considered the inquiry report of the Senate Ethics Officer, and this report and its recommendations is now before the Senate for final disposition of the matter.

• (1430)

Before commenting on the report itself, I want to acknowledge the commitment of my colleagues on the committee, Senator Joyal, deputy chair; and Senators Sinclair and Wetston. From March, we spent hours meeting, reflecting and informing ourselves pursuant to our mandate under section 49 of the code. Each member also independently devoted much time to reflection and to reviewing research documents and draft reports.

The committee began its work immediately after the filing of the report on March 9. I note that during the seven weeks of this process, the Senate was adjourned for four weeks. Despite this, senators cancelled or adjusted prior commitments in prioritizing this matter. I know that the committee's careful study was thorough and that the committee succeeded in balancing the need for promptness alongside fairness and due diligence.

Equally dedicated and professional were our legal counsel, Michel Patrice and Michel Bédard, and our clerks, Shaila Anwar and Blair Armitage, and our Library of Parliament analyst, Dara Lithwick. Their wise counsel and dedication displayed the Senate at its best and I'm truly indebted to them all.

I would note that Senator Patterson voluntarily recused himself and did not participate in the proceedings of the committee. Senator Patterson felt he was in a position that could give rise to an appearance of conflict or partiality. The committee took note of his recusal and proceeded with the consideration of the inquiry report with four members, three being its quorum.

The *Ethics and Conflict of Interest Code for Senators* is a manifestation of the Senate's parliamentary privilege. All colleagues are aware of their parliamentary privileges. These are the privileges, rights and immunities conferred on the Senate and its members, without which we could not discharge our constitutional duties with efficiency.

The code was adopted by the Senate in 2005. Before 2005, senators were governed by rules of conduct found in legislation and in our Rules. Senators were also generally expected to act in accordance with "trust and confidence" placed in them when summoned to the Senate and the dignity inherent to the service in public office.

The code established standards and a transparent system by which questions relating to the conduct of senators could be addressed. Since 2005, the code has been amended on four occasions: in 2008, 2012, and twice in 2014. These amendments were aimed each time at improving the code and at reasserting the commitment of the Senate and each individual senator to the highest standards of conduct.

The committee's study of the SEO's inquiry report is only one step of the enforcement process before a senator can be found to have breached the code and be sanctioned. The first step is the Senate Ethics Officer's preliminary review, which is conducted to assess whether a full inquiry is required to determine whether the senator has breached the code.

The second step is the full inquiry of the SEO, which culminates in her inquiry report to the committee, with her findings.

The third step is the committee's study and the report to Senate.

The final step is the consideration of the committee's report by the chamber for final disposition.

Throughout this process, the senator whose conduct is under review is properly notified of the process and of the alleged non-compliance. The senator who is the subject of the inquiry can also make representations at each step of that process. Given the seriousness of an alleged breach of the code, the process must also be conducted as promptly as circumstances permit.

The committee has examined the process followed by the SEO. The committee concluded that the SEO has complied in all particulars with all procedural and substantive requirements established under the code. As I indicated earlier, the role of the committee is to recommend the appropriate remedial measures or sanctions based on the findings made by the SEO.

In her inquiry report, the Senate Ethics Officer concluded that Senator Meredith had breached section 7.1 of the code, which states the following:

> A Senator's conduct shall uphold the highest standards of dignity inherent to the position of the Senator.

Subsection (2) states:

> A Senator shall refrain from acting in a way that could reflect adversely on the position of Senator or the institution of the Senate.

The breaches of the code found by the SEO resulted from an improper sexual relationship that Senator Meredith had with a teenager over an extended period.

The Senate Ethics Officer stated in her inquiry report that:

> Senator Meredith drew upon the weight, prestige and notability of his office, as well as his relative position of power as a much older adult, to lure or attract Ms. M, a teenager who, by virtue of her age, was necessarily vulnerable.

The Senate Ethics Officer concluded that:

> Senator Meredith's conduct in his relationship with Ms. M did not uphold the highest standards of dignity inherent to the position of senator. In maintaining a sexual relationship with a young person that Senator Meredith initiated and encouraged by drawing at least in part on his stature as a senator, Senator Meredith's conduct could reflect adversely on the position of Senator or the institution of the Senate.

The SEO made findings in respect to the period only after June 16, 2014, the day the new section 7.1 of the code was adopted by the Senate. However, the inappropriate relationship was already ongoing at that time. The new section 7.1 did not deter Senator Meredith in his inappropriate conduct. On the contrary, it only intensified after that day.

The committee felt that any appropriate measure or sanction to address Senator Meredith's misconduct must take into account the following: the seriousness of the breach and its impact on Senator Meredith's ability to continue to perform his parliamentary duties and functions; the effect of that breach on other senators and on the respect, dignity and integrity of the Senate as an institution; and the public confidence and trust in the Senate.

After careful review of the inquiry report of the SEO and many discussions concerning the range of possible sanctions and other remedial measures, the committee considered suspension or expulsion were the only measures that could potentially address the seriousness of Senator Meredith's misconduct and the harm it caused.

The committee was also mindful of the impacts of the breach on Senator Meredith and his family, and notably Ms. M and her family.

The suspension or expulsion of a member are measures taken under the disciplinary authority of a house of Parliament over its members. John Bourinot, in *Parliamentary Procedure and Practice in the Dominion of Canada*, states:

> The right of a legislative body to suspend or expel a member for what is sufficient cause in its own judgment is undoubted. Such a power is absolutely necessary to the conservation of the dignity and usefulness of a body.

The Senate unquestionably has the right to suspend members, and there are recent precedents to that effect. There is, however, no precedent of the Senate expelling one of its own members. Members of the committee spent much time considering this issue, examining the relative principles and rules of parliamentary law.

• (1440)

In addition, the committee sought and obtained a legal opinion from the Senate Law Clerk and parliamentary counsel on this matter. The legal opinion, appended to the report of the committee, concludes that the Senate has the power to expel a

senator under its inherent parliamentary privileges and those conferred on the Senate by the Constitution and the Parliament of Canada Act.

The committee accepts the Law Clerk's opinion. In the committee's opinion, then, expulsion is a sanction within the authority of the Senate. The Senate, including all of its members, has important deliberative and legislative responsibilities. Every sitting, senators debate and vote on matters that affect all Canadians or broad classes of the population. The service of a senator in Parliament is "a public trust." Senator Meredith's royal commission summoning him to the Senate, like that of all senators, states:

> . . . that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada.

As a complementary legislative body of second sober thought, the Senate is particularly concerned with the impact of proposed legislation on minorities, vulnerable and under-represented persons, including youth. The confidence and trust in the integrity of senators and the Senate, as well as the credibility of the institution and that of all senators, must be maintained for the Senate to perform its parliamentary duties with dignity and efficiency.

Senators must accept the fact that they are recipients of the public's trust and that important constitutional responsibilities are entrusted to them. Because senators are appointed, not elected, the public imposes a considerable degree of responsibility and accountability on senators. The public will undoubtedly accept that senators are only human, but they will still expect us to perform to the best of our capabilities as individuals. This is not only true of the behaviour in the chamber but also of all senators' behaviour, public or private, that could reflect adversely on the position of senator and the institution of the Senate.

Senator Meredith was engaged in an ongoing, inappropriate sexual relationship with a teenager. Senator Meredith's misconduct was not an isolated failing; it continued over a period of time after June 16, 2014, the date section 7.1 was adopted by the Senate.

In the eyes of the committee, Senator Meredith's misconduct is one of the most egregious breaches in the context of our role as senators, and status and role of the Senate, as well as the public stature claimed by Senator Meredith. Senator Meredith's breach of the code affected all senators and the ability of the Senate to carry out its functions.

Compounding this conclusion, the committee was concerned by the fact that, on numerous occasions, the SEO concluded that Senator Meredith was not credible in his testimony. The inquiry report of the SEO demonstrated that at no time did Senator Meredith take responsibility for his inappropriate conduct and how it affected Ms. M., as well as all senators and the institution of the Senate. Only after the inquiry report of the SEO was released did Senator Meredith acknowledge his conduct as a moral failing. Not at any time during the process conducted by the SEO did he take responsibility for his misconduct. He never took responsibility for his failure in his duties as a senator.

Senator Meredith, through counsel, suggested to your committee that a suspension without pay for one to two years would be an appropriate sanction. The committee was of the view that a suspension in any form would not be appropriate under the circumstances. A suspension, even for a long duration, would not preserve the dignity of the position of senator and of the institution of the Senate. In the view of the committee, Senator Meredith's conduct has undermined the public trust placed upon him when he was summoned to the Senate. Senator Meredith misused his privileged position as a senator. His continued presence in this chamber would discredit the institution.

The committee is of the opinion that Senator Meredith's misconduct has demonstrated that he is unfit to serve as a senator. Having arrived at this conclusion, the committee can only make one recommendation: that he be expelled from the Senate. Justice McLachlin, now Chief Justice of the Supreme Court of Canada, stated in1996, in her reasons in *Harvey v. New Brunswick (Attorney General):*

> When faced with behaviour that undermines their fundamental integrity, legislatures are required to act. That action may range from discipline for minor irregularities to expulsion and disqualification for more serious violations. Expulsion and disqualification assure the public that those who have corruptly taken or abused office are removed. The legislative process is purged and the legislature, now restored, may discharge its duties as it should.

Honourable senators, the committee believes that the behaviour of Senator Meredith requires the Senate to take immediate action to restore its credibility. The committee now has fulfilled its mandate, and that is to recommend an appropriate sanction. It now belongs to each and every senator to examine the inquiry report of the SEO and this report of the committee, including the extensive legal opinion of the Law Clerk, so that the Senate can debate on this report and its recommendations and determine the sanctions to be applied.

Thank you, colleagues. I have one further comment. I tabled, in both official languages, our report. I understand that the circulated report was missing the last page of the French translation. I believe that now has been corrected, and I wanted that on the record for the purposes of the press or the public, that the report complied with the rules, that it was intact, with all pages, and that, therefore, I proceeded and did not request any further leave.

Honourable senators, again, I want to thank the senators who took such due diligence. I could not have worked with a more committed and professional staff, but more with senators who put this issue and the integrity of the Senate above all else. Thank you.

Some Hon. Senators: Hear, hear!

(On motion of Senator Bellemare, debate adjourned.)

• (1450)

CITIZENSHIP ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—DEBATE SUSPENDED

On the Order:

Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Gagné, for the third reading of Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act, as amended.

And on the motion in amendment of the Honourable Senator Lang, seconded by the Honourable Senator Martin:

That Bill C-6, as amended, be not now read a third time, but that it be further amended

(*a*) on page 4,

(i) in clause 4 (as replaced by decision of the Senate on April 4, 2017), by replacing sub-clause (2) with the following:

"**(2) Subsection 10.1(2) of the Act is replaced with the following:**

(2) Any court that sentences a person to at least five years of imprisonment for a *terrorism offence* as defined in section 2 of the *Criminal Code* or for a *terrorism offence* as defined in subsection 2(1) of the *National Defence Act* may, in its discretion, make a declaration that the person was so sentenced.",

(ii) in clause 5, by replacing line 7 with the following:

"**5 Section 10.3 of the Act is replaced by the following:**

10.3 A person whose citizenship is revoked under paragraph 10.1(3)(b) becomes a *foreign national* within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*.

5.01 Section 10.4 of the Act is replaced by the following:

10.4 (1) Subsection 10.1(2) does not operate so as to authorize any declaration that conflicts with any international human rights instrument regarding statelessness to which Canada is signatory.

(2) If an instrument referred to in subsection (1) prohibits the deprivation of citizenship that would render a person stateless, a person who claims that subsection 10.1(2) would operate in the manner described in subsection (1) must prove, on a balance of probabilities, their claim.", and

(iii) by adding after line 13 the following:

"**6.1 Section 10.7 of the Act is replaced by the following:**

10.7 (1) An appeal to the Federal Court of Appeal may be made from a judgment under subsection 10.1(1) or section 10.5 only if, in rendering judgment, the judge certifies that a serious question of general importance is involved and states the question.

(2) An appeal from a judgment under subsection 10.1(2) lies to the Court Martial Appeal Court in the case of a judgment of a court martial or, in any other case, to the court of appeal of the province in which the judgment is rendered.";

(*b*) on page 5, in clause 10,

(i) by replacing lines 14 to 17 with the following:

"**(3) Paragraphs 22(1)(f) and (g) of the Act are replaced by the following:**", and

(ii) by replacing line 23 with the following:

"or paragraph 10.1(3)(a); or

(g) if the person's citizenship has been revoked under paragraph 10.1(3)(b).''; and

(*c*) on page 8, by replacing clause 26 (as replaced by the decision of the Senate on April 4, 2017) with the following:

"**26 Paragraphs 46(2)(b) and (c) of the Act are replaced by the following:**

(b) subsection 10(1) of the *Citizenship Act*; or

(c) paragraph 10.1(3)(a) of the *Citizenship Act*.".

Hon. Mobina S. B. Jaffer: Honourable senators, I rise to speak to Senator Lang's amendment to Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act. If passed, this amendment would allow for a sentencing judge to make a declaration leading to citizenship revocation for dual citizens in matters related to terrorism charges.

Honourable senators, if I thought for a minute that Senator Lang's amendment would keep us safe or secure, I would immediately support this amendment.

Honourable senators, by way of background, I have seen first-hand the pain caused by terrorism. I've gone to refugee camps and to many places and witnessed the destruction done by ISIS and

Daesh. I am, in fact, going this weekend to work with women from Pakistan, Iraq and Afghanistan, women who are specifically working in the areas to convince young men to return to their communities and work in their communities rather than against their communities. I work continuously on the issue of terrorism, but I believe that this is not the bill where we should look at adding the issue of terrorism.

The things that I have seen have significantly changed my life. For the last 16 years, I have worked and tried to deal with issues of terrorism. While working on this issue, I have seen many things. In particular, I will never forget one young woman whose limbs were missing because of barrel bombs. Terrorism and keeping Canada safe is always on my mind. However, honourable senators, this amendment will not make us more secure, but, I believe, perhaps less secure.

Further, this amendment is not in line with the essence of this bill. The essence of Bill C-6 is to bring us back to a system where a person's citizenship can only be revoked for actions made before they became citizens. It is a pre-citizenship bill for actions as grounds for revoking Canadian citizenship of things that you did before you became a citizen.

Senator Lang's amendment introduces post-citizenship acts as grounds for revoking citizenship of dual citizens. Honourable senators, this is just wrong. After becoming a citizen, a person and his family become part of our great Canadian family. This means that if they commit criminal acts, the persons are punished under our laws and face consequences in our country.

Before I begin, I would like to speak on how this debate is tied to our role as senators. As senators, we come here with many biases, experiences and opinions. Each of us has our own biases and ideas about how we can improve our country.

Honourable senators, I clearly remember the day I came here and how many biases I had about many issues. When I came here, I quickly realized that it was not about Mobina Jaffer. It was about being a senator from British Columbia, and I had to look at all issues with the Canadian Constitution in mind.

Honourable senators, I can genuinely tell you that every year I've had to break my personal barriers and my personal biases to uphold the Constitution. We have to look at every bill with a constitutional lens and not with our personal biases. When constitutional questions come before us, it is our duty to put our biases and ideas aside and to respect the rights of Canadians. It is no longer about us, senators; it is about our Canadian Constitution. It is about upholding our Canadian Constitution.

As senators, it is our role to ensure that our laws comply with the Constitution. When Bill C-24 came before us in 2014, we heard several warnings during debate and in committee telling us that Charter rights of Canadians would be violated by these provisions. Both then and now with this bill, we have heard that Bill C-24 violates several sections of the Canadian Charter of Rights and Freedoms, most notably, sections 6 and 15. When the bill came before us, we should have moved to protect the rights of Canadians. However, as a chamber, despite this fact, Bill C-24 was passed.

Honourable senators, from 2006 to 2015, for almost 10 years as a member of the Standing Senate Committee on Legal and Constitutional Affairs, many bills came before us, and many times I asked if these bills were constitutional. Were they Charter compliant? I got the answer that they were Charter compliant. Since then, many of these bills have been set aside by our courts. They have been found not to be Charter compliant.

I stand before you today and say that we have abdicated our responsibility as parliamentarians. We are not examining the bills with the lens that we should be doing here, to be looking at our Constitution. We have given this job to judges. Honourable senators, whether a bill is Charter compliant is our responsibility.

At the moment, there are five separate applications for judicial review before the Federal Court related to changes made by Bill C-24. These are the cases of *Saad Gaya*, *Saad Khalid*, *Hiva Alizadeh, Asad Ansari* and *Misbahuddin Ahmed*.

In addition to these cases, several law societies have raised their concerns about Bill C-24, including the Canadian Bar Association, the Quebec Bar, the Canadian Association of Refugee Lawyers and the British Columbia Civil Liberties Association. In fact, the application for judicial review in the *Ansari* case was made by the British Columbia Civil Liberties Association and the Canadian Association of Refugee Lawyers. These cases have all been adjourned for now.

Since Bill C-6 deals with the problematic elements of Bill C-24, the litigants in these cases were fighting hard for the rights of all Canadians, waiting for this chamber to restore the constitutionality of the Citizenship Act with Bill C-6. If we do not carry out our duty once again, they will continue to fight for the rights of Canadians in courts.

Honourable senators, I submit to you that this is wrong. Our job is to uphold the Constitution, not have the courts do our work. This is why, in large part, I put my support behind Bill C-6.

I will not speak at length on this subject, as I will cover this at a later time. However, I believe that it is an important step towards making sure that our citizenship laws comply with the Charter.

By restoring the constitutionality of the Citizenship Act, we can take the burden off the courts, and we do the job that we have been sent here to do and not have the courts do it. We have relied on the courts to take on our responsibility as parliamentarians for too long.

Given that so many Canadians are counting on us to protect the rights that have been violated by Bill C-24, this amendment goes against the spirit of what this bill will accomplish. Unlike Bill C-6, this amendment will create more constitutional issues.

Most notably, this amendment introduces measures that violate section 15 of the Charter in the exact same way that Bill C-24 did in 2014. It reintroduces the punishment of citizenship revocation for dual citizens for some crimes, while mono-citizens will not have to face that risk. However, under this amendment, the judge will be making the declaration instead of the minister.

Under section 15 of the Charter, all Canadians are equal, before and under the law, regardless of their national origin. This means that all Canadians must also be subject to the same punishments if they commit similar crimes.

Experts from across Canada have stated that creating a system where dual citizens can have their citizenship revoked, while mono-citizens cannot, is unconstitutional.

Audrey Macklin, who appeared before the Standing Senate Committee on Social Affairs, Science and Technology, summarized the situation well when she said:

> Canada, like any other liberal democracy, holds to the idea that there is no such thing as second-class citizenship. Once you are a citizen, all citizens are equal. So to impose upon one class of citizens the threat of revocation, and not on another, is obviously to discriminate on whether one is a mono or a dual citizen.

Bill C-6 solves the issue within Bill C-24, removing the problematic element from the Citizenship Act entirely.

• (1500)

This amendment will bring this problematic situation back into play. Placing the power to revoke citizenship in the hands of a judge rather than a minister does not change the fact that this proposed system is still unequal. Dual citizens will still be exposed to additional punishments when convicted of terrorism crimes.

Honourable senators, the people fighting the five court challenges against Bill C-24 are waiting for us to change the Citizenship Act so that it respects section 15 rights. In fact, each case explicitly mentions section 15 when they challenge the constitutionality of the current Citizenship Act. The people litigating these cases believe that a Canadian is a Canadian is a Canadian, regardless of origin. Therefore, they should be equal before and under the law.

Honourable senators, we should not leave it to the courts to oppose laws that threaten the rights and freedoms of Canadians. It is our job as senators to be guardians of the Constitution.

When Senator Lang presented this amendment, he claimed that having a judge handle this case instead of a minister or one of his officials would make the system fairer. The truth is that this amendment would actually create more constitutional issues than those found in Bill C-24. It introduces entirely new problems. For example, this amendment creates a system where the onus is placed on individuals to prove that their sentencing should not include the revocation of their citizenship. This is a clear violation of sections 7 and 11(d) of the Charter. Together, these two sections of the Charter grant all Canadians the right to not face conviction and punishment unless the prosecution can prove guilt beyond a reasonable doubt. For considerations that will make an individual sentence worse, this means that it is the Crown's responsibility to prove that such punishments are justified. The burden placed on the person is a reverse onus clause, which has been ruled to be unconstitutional by the Supreme Court of Canada, even when it relates to cases where additional punishments are imposed.

For example, in *R. v. Pearson*, the court ruled "that where the Crown advances aggravating facts in sentencing which are contested, the Crown must establish those facts beyond reasonable doubt."

Given these rulings, the system this amendment proposes would violate the right to reasonable doubt since it introduces an unconstitutional reverse onus clause. Rather than taking the burden of the courts, this amendment would actually go as far as adding more problems for the courts and litigants to address.

Honourable senators, there are even problems with this amendment that go beyond the constitutional arguments. When this amendment was presented, Senator Lang asserted that it was meant to address the terrorist threat that we face here in Canada.

Honourable senators, in our great chamber we have second reading, and this second reading went on for almost a year. Then we had committee hearings, and at the committee hearings, some of us studied the bill. Honourable senators, at the committee hearings, and I could be wrong, but I did not hear anybody say that taking away the citizenship of dual citizens would make our country secure.

However, the testimony at the Standing Senate Committee on Social Affairs, Science and Technology showed that revoking citizenship from dual citizens would not even serve that purpose. During his testimony to the committee, Professor Craig Forcese set out three strong reasons that show how this kind of response is ineffective.

First, there is no empirical data showing that dual citizens represent a higher threat to Canada than mono citizens. There is simply no good reason to single them out.

Second, Canada has created several programs to prevent Canadians from committing terrorist acts abroad. Senators, these criminals remain dangerous outside of Canada and can still hurt our interests after their deportation. By deporting these people, we would actually be making matters worse. Many of these people wish to contribute to terrorism abroad. If we simply deport these people, we might actually be speeding up their plans by placing them in a country they were already travelling to. We will also open up our country to receive dual citizens convicted of terrorism.

Honourable senators, I will give you an example. If a dual national of Jordan and Canada committed a terrorist act in Jordan and Jordan took their citizenship away, that person would be sent to Canada because that would be our law. We would be sending people back to their countries and our nationals would be coming back to this country. Is that the kind of system we want, where we open up our country to convicted terrorists from other parts of the world?

Third, Professor Forcese has said that revoking the citizenship of dual citizens can actually only hurt our ability to fight against terrorist acts. To quote the professor:

> . . .saying "You're not quite one of us," is exactly the sort of narrative that is deeply detrimental to the integration and counter-radicalization effort that should be front and centre in terms of our efforts to stave off radicalization to violence.
>
> . . . by singling out this subset of the population for this special peril, we're playing into a propaganda discourse that is detrimental to our ultimate security objectives.

Further, by violating the equality rights of our dual citizens, we are making it so that they feel that they are never welcome here. We create two classes of citizens. How can we do that to our dual citizens, then turn to them for help with our most important security goals, such as counter-radicalization?

Instead of making us and our country, Canada, safer, this amendment would actually have the opposite effect. Canada's national security is not helped when we become an exporter of instability. Beyond that, our country has a system that can deal with its biggest threats. Our criminal justice system ensures that those who seek to harm our country will be placed in prison and suffer the greatest consequences.

When we take responsibility for our own, we know that they will be handled in a manner that keeps Canadians safe.

Honourable senators, the face of terrorism is ugly. Recently, I visited some of the families whose members were maimed or killed in the Quebec attack. At that time, I visited one home where the mother of a person killed had recently arrived in Canada. The mother explained to me how every evening her eyes were bathed with love when her son returned home from his job as a teacher in Quebec City. She was a mother full of pride and joy for her son's accomplishments. However, one day he was slaughtered while doing the most innocent act of praying. Now, this mother has said to me: "My eyes are bathed with tears," and I observed this. Her chest is deflated with pain and she just stares at her beautiful grandchildren who are now fatherless.

That is the face of terrorism. This is not the bill that will deal with that issue. Senators, I know we will have many bills and amendments that will help to keep our society safe.

Can I have a few more minutes?

The Hon. the Speaker: Before asking for more time, Senator Jaffer, I have a brief announcement to make.

Honourable senators, I have just been informed that there is a major gas leak downtown near 131 Queen Street. It's not apparently going to affect us here on the Hill, but it has required, for safety purposes, the evacuation of the Victoria Building, the Chambers Building and 56 Sparks Street, which of course will affect committee sittings and many of your offices. I just want senators to know that. It hasn't been requested that we evacuate the Hill, but if anything does come up with respect to that, obviously we'll be notified immediately.

Honourable senators, you need to know that your offices, if they are in any of those buildings, are being evacuated. If committees are sitting, support services in those buildings will be affected as well.

Five more minutes for Senator Jaffer?

Hon. Senators: Agreed.

The Hon. the Speaker: Senator Jaffer?

Senator Jaffer: Honourable senators, as I said to you, there will be many bills where we will look at issues of terrorism. Bill C-6 is not that bill. If we pass this bill with the amendment suggested by Senator Lang, we will have Canadians fighting Canadians, Canadians being suspicious of each other and Canadians losing trust in each other. However, this will not keep us safe.

• (1510)

Senators, I urge you to remember that our role as senators is to strengthen the fabric of our community. Therefore, I ask you not to support Senator Lang's amendment to Bill C-6. Thank you very much.

Hon. Jane Cordy: Would the honourable senator accept a question?

Senator Jaffer: Yes.

Senator Cordy: Thank you very much, and thank you for the excellent speech. In your speech you referred to all citizens being equal. I think you were quoting a judge who said that. My first question is: Do you believe that a Canadian is a Canadian is a Canadian? And second, do you believe that Senator Lang's amendment creates two kinds of citizens, those who were born in Canada and those who were born outside of Canada and who have dual citizenship?

Senator Jaffer: As all honourable senators know, I'm a newcomer to this country, and when I came here one of the most amazing things for me was to know that the day I received that wonderful citizenship I would always belong to this great country. We were thrown out of Uganda even though my father and mother were born there. My father used to say: "You will never get thrown out of this country. Once you get citizenship, this country and its people will always be there for you." So I take that paper as a very serious commitment from Canadians to me and from me to Canadians.

As for your question about creating dual citizenships, the unfairness of this is if you are born here and if you commit a terrorist act obviously you suffer the consequences, but that's the end. If you were not born here but you are a mono-citizen, which means that you are not a dual citizen, your citizenship will not be taken away from you because you are not a dual citizen. But you could be born here, your father could be born here, but because of a country's rules that you are automatically a citizen of another country even though you have not asked to be a citizen of that country, you as a dual citizen, even though you were born here, your family is Canadian, you could be sent to that country. That's the unfairness of this bill.

Hon. Daniel Lang: I wish to make a couple of points. First, as we debate this issue on an ongoing basis, Canadians should be aware that more and more statistics are coming available.

Right now there are 17 permanent residents — that means an individual who has a passport from another country, who has applied to come to this country, has been accepted and has made the first step towards Canadian citizenship, has become a permanent resident, and there are 17 of these permanent residents right now actively involved in terrorism activities in the world.

Over and above that, we have 54 —

Senator Harder: Says who?

Senator Lang: We have 54 dual Canadian national citizens who are also active in terrorism activities. I want to ask the honourable senator this: She talks about the Constitution and says that she can't support the revocation of Canadian citizenship for dual nationals who are involved in the most heinous crime that can be committed against humanity — terrorism — and at the same time she supports the principle that we, our judiciary, can revoke the Canadian citizenship of a dual national who has fraudulently entered this country. How can she say one is unconstitutional yet the other is constitutional?

Senator Jaffer: Senator Lang, I appreciate you asking me this question. There are two separate situations. When somebody is seeking a citizenship and they make fraudulent claims about whether they were terrorists or whether they were misrepresented, I call that a pre-citizenship application. Somebody who applies to become a citizen and utters fraudulent acts and as a result gets their citizenship is a person who has misled us.

Can I finish answering that question?

The Hon. the Speaker: Is leave granted, honourable senators, to continue answering the question?

An Hon. Senator: No.

The Hon. the Speaker: No, I'm sorry, Senator Jaffer. Senator Runciman.

Hon. Bob Runciman: Honourable senators, I frequently agree with Senator Jaffer but this isn't one of those occasions.

I'm rising today to speak in support of Senator Lang's amendment to Bill C-6 to allow for the discretionary revocation of citizenship for convicted terrorists who hold dual passports.

There are many things in Bill C-6 with which I disagree. I disagree with removing the requirements for knowledge of Canada and of one of our official languages for certain candidates for citizenship. I disagree with reducing the residency requirements needed to qualify for citizenship, and I also oppose the removal of the requirement that new citizens commit to live in Canada, taking us back to the passport-of-convenience days. By lowering the standards for qualifying for citizenship and by removing the need to show a commitment to Canada by actually living here, we are devaluing Canadian citizenship.

Canadian citizenship is something to be valued and respected and not simply a convenience or a cover to get advantage or benefits. It comes with rights, but also carries with it responsibilities like obedience to our laws and support for societal principles like secular democracy, individual liberty, free speech and gender equality. That's who we are as Canadians and those principles should be protected and promoted.

I believe many parts of Bill C-6 take us in the wrong direction. But the measure in this bill that I object to most strenuously is the one that removes the right of Canada to revoke the citizenship of someone who commits a terrorist act against this country.

This change will put Canadian law at odds with virtually all of our major allies: the United States, the United Kingdom, France, Australia, New Zealand, and the list goes on. This is an ill-conceived change that I do not believe most Canadians support, and I suspect if any of you go into a Tim Hortons next weekend and talk about this issue, that's the reaction and response you will get.

I applaud Senator Lang for modifying that element of the bill, and I also note that his amendment is very carefully crafted. I believe it's an improvement on the measures that were contained in the former Bill C-24, which provided for citizenship revocation of convicted terrorists. It is certainly a vast improvement over the measures in the bill we are now debating. I'd like to draw your attention to three elements of Senator Lang's amendment.

First, it ensures that this is a judicial matter, not a political one. The amendment puts revocation of citizenship at the discretion of the sentencing judge, not the minister. And note that it is discretionary; there is no interference with judicial discretion.

Second, Senator Lang's amendment is not retroactive. Someone who has already been convicted and sentenced will not be subject to citizenship revocation.

Finally, citizenship revocation is subject to the right of appeal. These three elements of this amendment ensure due process and should address any concerns about constitutionality.

I've heard and read the arguments against stripping citizenship from dual nationals and I do not find them persuasive. We are told that stripping citizenship and deporting terrorists is just a matter of exporting our problems, that the result will be a more dangerous world. But the people we are talking about are serving very lengthy jail terms. We aren't about to put them on a plane so they can walk the streets of another country. They will serve their time.

• (1520)

As Senator Lang just mentioned, it is also worth mentioning that Canada frequently revokes citizenship — 222 times in the

13 months ending November 2016. That is according to figures provided by Immigration, Refugees and Citizenship Canada.

Senator Omidvar's argument on that point, and I think it was reiterated by Senator Jaffer, that these are people who lied about their circumstances, hiding past criminality, for example, in order to gain Canadian citizenship. If the facts were known at the time, citizenship would never have been granted. It sounds logical until you really think about it.

Fundamentally, she is saying that fraud is a more serious matter than plotting to cut off the Prime Minister's head. In the first case, they used false pretenses to gain Canadian citizenship; in the second case, the crime is far more serious. They are willing to commit the most heinous acts of violence with the objective of destabilizing our nation. When they became Canadian citizens, they pledged, under oath, that they will faithfully observe the laws of Canada and fulfill their duties as Canadian citizens.

When they commit terrorism against this country, they have essentially renounced that oath and renounced their commitment to Canada. It is our right as a nation, indeed our responsibility, to renounce our commitment to them.

An Hon. Senator: Hear, hear.

Senator Runciman: Honourable senators, the greatest responsibility we have as parliamentarians is to protect the safety and security of Canadians. All of the rights and freedoms we enjoy in this great country flow from that.

Senator Lang's amendment is premised on that fundamental responsibility, and I ask that you support it.

Senator Jaffer: May I ask Senator Runciman a question?

Senator Runciman, you and I work together, and I thank you for that compliment. As chair of the Legal and Constitutional Affairs Committee, you know this better than anybody else.

The countries you mentioned, U.K., U.S. and Australia, and you may have mentioned another country.

Senator Runciman: France.

Senator Jaffer: As far as I know, none of those countries have a Charter of Rights and Freedoms like Canada does; is that correct?

Senator Runciman: That's correct.

Senator Jaffer: So the obligations of those countries are not as onerous on their parliamentarians as they are for us?

Senator Runciman: Agreed.

Senator Jaffer: Thank you.

Hon. Art Eggleton: Honourable senators, I spoke previously on the general provisions of Bill C-6, so I rise on this occasion to talk about the amendment from Senator Lang.

I will briefly make three points. First, I am surprised that we are debating this amendment because this amendment clearly stands against the principle of the bill.

The principle of the bill was enunciated by the former Minister of Citizenship and Immigration, John McCallum, when he said there should be only one class of Canadians, not two. That is the first principle.

This takes us back to speaking about two classes of people, and it is something that was debated in the election campaign. The leader of the Liberal Party, who subsequently formed government and became the Prime Minister of Canada, quite clearly addressed the Bill C-24 legislation which was then in effect, and said that it was wrong to have these two classes and two different treatments with respect to this matter of terrorism. He said that he would bring forward a bill that would change it, which is what he's done. This particular amendment stands against the exact purpose of the bill. Anyway, we are debating it.

The other point — and I think this is an important factor — is when a party promises something in an election and then they get elected and form a government it has been traditional to respect that as being an expression of the will of the people.

Some will argue that there are opinion polls that say something else, but opinion polls come and go, and it depends on how they are worded. You can get opinions that may be contrary to an opinion on one thing, depending on how you word it. We don't, by tradition, rely on that; we rely on the fact that they got elected. They have a mandate. I have certainly heard that from people on the other side on many occasions.

Let me read from the Supreme Court ruling that was made on the question of Senate reform, which they dealt with in 2014. This clearly states where things should be considered in terms of legislation that comes from the government. It says:

> . . . the choice of executive appointment for Senators was also intended to ensure that the Senate would be a *complementary* legislative body, rather than a perennial rival of the House of Commons in legislative processes.
>
> . . . An appointed Senate would be a body —

These are the words of Sir John A. Macdonald.

> . . . "calmly considering the legislation initiated by the popular branch, and preventing any hasty or ill considered legislation which may come from that body, but it will never set itself in opposition against the deliberate and understood wishes of the people."

By tradition, which has been taken to meaning if they get elected if it is part of their platform, then it should be respected as such.

There are many things that we do consider here, when the government comes forward with legislation, that are quite proper to do, if it doesn't meet the Constitution, for example, or if regional concerns have not been taken into consideration, minority concerns have not been taken into consideration, but I don't see that in this particular context. If anything, the Constitution minority concerns are going in the opposition direction with Senator Lang's amendment.

I feel rather surprised that we are debating this, because I think this comes into the complementary legislative body status, and it's something that has to be considered in terms of the government's mandate.

The second point I make is that this does stigmatize and devalue the citizenship of those people who have dual citizenship. There are almost a million of them. It says to those people, "You're in a different classification."

I see the minister is here.

The Hon. the Speaker: You do have a couple of minutes. If you want to stop now, you can.

Senator Eggleton: I do not want to hold up the minister.

The Hon. the Speaker: All right. We will come back to you, senator.

Senator Eggleton: That's fine.

The Hon. the Speaker: Thank you for your patience, Senator Eggleton.

(Debate suspended.)

QUESTION PERIOD

Pursuant to the order adopted by the Senate on December 10, 2015, to receive a Minister of the Crown, the Honourable Ahmed D. Hussen, the Minister of Immigration, Refugees and Citizenship appeared before honourable senators during Question Period.

The Hon. the Speaker: On behalf of all honourable senators, welcome, minister.

MINISTRY OF IMMIGRATION, REFUGEES AND CITIZENSHIP

REVOCATION OF CITIZENSHIP FOR DUAL NATIONALS CONVICTED OF TERRORISM OFFENCES

Hon. Larry W. Smith (Leader of the Opposition): Good afternoon, Mr. Minister, and thank you for being with us today.

My question for you concerns Bill C-6, an Act to amend the Citizenship Act, which is currently before this chamber at third reading.

My colleague Senator Lang has brought forward an amendment which seeks to ensure that dual nationals convicted of terrorist offences should not retain Canadian citizenship as their aim is to destroy the very society in which they live. The amendment allows for the sentencing judge in matters related to terrorism to have the option to impose the sanction of citizenship revocation in such cases. The amendment removes political discretion of a minister and leaves it to the sentencing judge and allows the individuals subject to this provision to be able to appeal.

• (1530)

Minister, are you aware of this proposed amendment of Bill C-6? If so, are you inclined to support it? If you're not aware of this amendment, would you give your assurance that you will study it and give it your full consideration?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you very much for the question, senator. I'd like to begin by thanking the Senate for allowing me to come in front of you to answer all your questions. It's a great honour to appear in front of you, and I appreciate the opportunity to do so.

I thank the honourable senator for the question. When it comes to the issue at hand, we were very clear in our election platform, and this issue was debated frequently during the election campaign. Repealing two-tiered citizenship laws was an essential commitment we made, and we made that commitment based on a number of reasons. One, out of principle, the principle being that equality before the law for all Canadian citizens is fundamental to Canadians. We're fundamentally opposed to the idea of two-tiered citizenship, which is what this approach would establish. Establishing two classes of Canadian citizens actually devalues the Canadian citizenship that we hold dear. The amendment would mean that different Canadians would face different penalties for engaging in the same kind of activity. Even in the face of a scourge like terrorism, it is important that we do even more to defend the fundamental principles of our democracy, which include the equality of Canadian citizenship and Canadian citizens before the law.

In terms of security, it is not in Canada's best interests to export this problem. Removing citizenship from individuals convicted of terrorism would actually mean that we would export this problem to other parts of the world. This would mean that these individuals would be sent to remote locations. It would be hard

for us to track them, and they would in fact get an opportunity potentially to do damage to Canadians, to Canadian institutions, infrastructure and people in other countries.

Criminals should face the full weight of the Canadian justice system, and that is the key principle on which we stand. In fact, Canadian citizenship should not be used as a tool for punishment. It should be left to the Canadian justice system to appropriately punish those who engage in crimes like terrorism.

Senator Smith: I recognize that the Liberal Party in its election platform outlined exactly what is in the new bill, but just so we keep it in perspective, 68.5 per cent of Canadians voted in the election. The Liberals had 6.9 million, the Conservatives 5.6 and the NDP 3.4 million. The point is that it's not necessarily because it's been projected in a campaign that you have the dominant majority of Canadians supporting the element.

Have you seen a report in the last couple of weeks on the major U.S. news channels about two Canadians recently added to the U.S. State Department's list of specially designated global terrorists? One man is a Syrian-born Canadian citizen who has conducted sniper training in Syria and has been linked with the al-Nusra Front, which is the al Qaeda affiliate in Syria. I would ask that you keep individuals such as this in mind as you make your deliberations on the proposed amendment to Bill C-6.

We as Canadians are welcoming people. We are pleased to grant citizenship to those seeking a safe place to raise their families and who are ready to work hard to contribute to the caring and open society we all cherish as Canadians.

Minister, how do we, therefore, allow someone to retain the right of citizenship when they actively engage in acts of terrorism, those individuals who seek to kill their fellow citizens and destroy the foundation of our caring and open Canadian society?

Mr. Hussen: Thank you, senator, for that question. Just to be clear, we strongly believe that crimes against Canadians and violations under the Criminal Code of Canada should be punished by the Canadian judicial system and not using citizenship laws to punish criminals. Criminals should be dealt with strongly by our criminal justice system.

The amendment essentially proposes different treatment for different individuals. Assume that you have two individuals who both engage in terrorism. One would be treated differently if he or she has parents born in another country, and the other would be dealt with by the Canadian justice system and would not lose their citizenship. That is differential treatment. That is two-tiered citizenship. It would essentially devalue Canadian citizenship because one of the most fundamental principles we believe in is that Canadian citizens should be treated equally, including when they commit crimes.

The second part of that approach that is quite problematic is that removing citizenship from individuals who commit heinous crimes like terrorism would mean that we would in essence be exporting them to other countries where they would then be putting those individuals at risk, Canadians abroad at risk, and it would be difficult to monitor them. At least when we convict them here and put them away in Canadian institutions, we can monitor them and make sure they are no longer a risk both to Canadians and to citizens of other countries.

Citizenship should not be used as a punishment tool. We have the Criminal Code of Canada. We have our justice system. Those are the proper avenues to deal with all crimes, including the most serious ones like terrorism.

STATUS OF PERMANENT RESIDENTS WHO COMMIT CRIMINAL OFFENCES

Hon. Daniel Lang: Colleagues, one observation I would make in respect to the question of Canadians who have dual citizenship and are involved in terrorism activities is that well over 300 Canadians have made that decision consciously and premeditatedly and have basically turned their backs on this country.

I want to speak to the argument that you're going to be exporting this terrorism if a dual citizen loses his Canadian citizenship, that it would be more harmful for that individual to be away from this country than to remain in it. I would argue that the worst thing we could do is send those individuals back to the community where they were advocating hate and intolerance and advocating to young people that they become involved in terrorism while at the same time promulgating that on a day-to-day basis. You have no control over that and the authorities have no control over that.

I want to move on to another area. It has come to our attention that 17 permanent residents who attained the first step to Canadian citizenship are involved in terrorism. Mr. Minister, can you assure Canadians, first, that those 17 permanent residents will not get their Canadian citizenship, and second, that you will do everything you can to withdraw their permanent residency status?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you very much, senator, for that important question.

Permanent residents of Canada do not have an automatic right to become Canadian citizens. In fact, the citizenship application process is rigorous; there's screening done on individuals in terms of their background, criminal history and other biographical information. According to our laws, permanent residents who engage in serious criminality are inadmissible to Canada. Not only do they not become Canadian citizens; they actually lose their permanent residency status and therefore become inadmissible to our country and are subject to eventual removal after exhausting their natural rights to due process and numerous appeals.

In basic terms, a permanent resident of Canada becomes inadmissible to Canada upon the commission of serious crimes, and when that happens, they lose their right to continue to become residents of Canada.

Canadian citizens are different. Once you become a Canadian citizen and you did not obtain Canadian citizenship through fraud or misrepresentation, you enjoy all the rights and

responsibilities and benefits that accrue to a Canadian citizen. Subsequent to that, if you engage in criminality, you should be dealt with through our criminal justice system.

• (1540)

ASYLUM FOR YAZIDI GIRLS

Hon. Mobina S. B. Jaffer: Minister, first of all, I want to welcome you to the Senate of Canada. As a fellow African, I have to tell you that your presence here, in my place of work, gives me immense pride.

I have often, minister, spoken about the Yazidi girls, and I first want to compliment you for the girls and Yazidi families that you have brought here. Minister, the thing that has really touched me is that you didn't just bring the girls; you brought their families. I cannot thank you enough.

For over a year I have been working with women in Vancouver who are part of the Rose Campaign and are at the forefront of trying to bring these women here. We met on Saturday together and this is the question that they are asking. I will try to ask my question in their words.

As you know, minister, 5,200 girls were enslaved; 3,000 are still enslaved. Today's news from the UN is that they have just rescued 63.

The Rose Campaign's question to you is this: Exactly how many girls have been brought to Canada, and what is being done with other like-minded countries like Norway, Denmark and Sweden? What is being done to rescue the other girls? What asylum will those girls be given and in which countries?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you very much, Senator Jaffer, for that question. Before I begin, I'd like to thank you for the best wishes that you've sent my way and also to acknowledge the long friendship and working relationship that we've had and your generosity to me as a member of Parliament when I first arrived here in 2015.

The ongoing operation that we've had to bring all survivors of Daesh here, but predominantly Yazidi women and girls, has been one of the proudest things I've been able to accomplish as a minister. That program has been very carefully planned from the get-go. We relied on Germany to design the operation, because Germany was ahead of us in terms of getting over 1,000 Yazidi women and girls out of that volatile region and into safety in Germany. We sat down and consulted with the Germans and they shared with us their experiences. We put together our operation and designed it with that in mind.

Secondly, one of the things we learned very quickly is that this is an extremely vulnerable group that has been particularly traumatized, more than even other vulnerable refugees. So we wanted to make sure that we paced the arrivals and did it in stages to allow the local communities where they would settle, all across Canada, to have these intense supports, because these individuals have been through a lot of trauma.

I'm proud to say that our plan worked flawlessly. So far we've brought over 450 Yazidi women and girls and even young boys, because we found out through the operation that ISIS was targeting young boys for enslavement and turning them into child soldiers. We've worked closely with municipalities, with provinces and with the Yazidi community in Canada to make sure there are intense wraparound supports to address the psychological, physical as well as other needs that this particularly vulnerable group has.

We have a target of bringing into Canada 1,200 Yazidi women and girls, but other survivors of Daesh as well, by the end of 2017. We've also encouraged private sponsors of refugees to prioritize the Yazidi women and girls when they can. We worked closely with the UNHCR and others to make sure we do what we can to help the survivors of Daesh.

In terms of the friendly countries that can do more, we've been playing a leadership role. I've been travelling across the world to share our private sponsorship model for refugees, which is so needed in the world today. A lot of countries have been coming to Canada and saying, "We love your PSR model. Can you help us technically?" We've been doing that, and those allocations for PSRs across the U.K., Germany and Latin American countries will include spaces for Yazidi women and girls.

VEGREVILLE CASE PROCESSING CENTRE

Hon. Elaine McCoy: I too welcome you to the Senate, minister, and it's a pleasure to see you again. I'd like to invite you to shift your focus to Alberta.

Alberta is my home province, and for many years now we've been very proud of hosting a regional data processing centre for your department. We were particularly proud that this centre was placed there by a politician who is greatly loved in Alberta, Don Mazankowski, when he was a minister of the Conservative government. It is placed in a rural town and was a move in the direction that we have always supported to diversify employment across our province and indeed across the country, to ensure that all Canadians have access to equal benefits.

In your very first year as a minister, I'm sorry to report — I'm sure you know — that your government is threatening to close this facility, notwithstanding that last year in your performance appraisal of the department, this facility was given the highest marks for efficiency.

So, minister, knowing that the town of Vegreville is working very hard in the community and with stakeholders and with, indeed, the Government of Canada to find solutions, our question to you, as senators from Alberta, is this: Can you give us assurances that you will look for solutions to our dilemma so that 10 per cent of that community is not left without jobs, in the same way that you have supported the refugees from elsewhere in the world?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you very much, honourable senator, for that question. I must note here that it was Senator Harder, as deputy minister, who actually put that case processing centre in Alberta. I just wanted to point that out.

The Vegreville case processing centre is an important centre for our ministry. The workers there are very efficient. In fact, on many occasions, they've taken some overflow work from other offices, and they've been amazing in terms of lowering processing times for spousal applications and other forms of immigration applications.

I always repeat this: The decision to move towards consolidating services in Edmonton is in no way a reflection of the good work that is going on with the workers in Vegreville. The issue that we've always talked about is for the future. The Vegreville office presented particular challenges with respect to recruitment, bilingual staff and other challenges that were identified in an audit that was done on the office.

In order to recognize the value of those workers and make sure they continue to help us process cases, while at the same time dealing with the real challenges of recruitment, bilingualism and access to universities and mass transit that were lacking, we are moving to Edmonton but offering all the employees from the Vegreville case processing centre a job in Edmonton, which is one hour away.

PROTECTION OF WOMEN AND GIRLS IN CONFLICT ZONES

Hon. Marilou McPhedran: Minister Hussen, may I add my welcome to those of my colleagues and say that it's very good to see you again.

My question is related to some of the points made by Senator Jaffer in terms of Yazidi women, but it is somewhat different because of circumstances that are not necessarily as well known and as clear in terms of the evidence of the state incapacity to protect women, as is clearly the case for Yazidi women.

• (1550)

Canada has, on occasion, led in looking at more claimant-respectful processes where women are attempting to claim asylum or to reach refugee status as a result of domestic abuse in their country of origin. What is often a problem is sufficient evidence to demonstrate, at minimum, indifference by the state, ranging all the way to complicity and acts of persecution by officers of the state to women in these situations.

I work with many women who run shelters across this country. Minister, I hear that the threshold for the evidence and the interpretation of the evidence on individual cases continues to be a serious problem — what it requires for a woman trying to achieve refugee status as a result of domestic violence and being able to demonstrate this so-called indifference by the state. The way in which our decision-makers have been interpreting this continues to create a significant barrier for women in these situations.

Is this under active consideration in your department, and if it's not, would you consider making it so?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you for that important question. We understand, and I am personally cognizant of, the fact that women and girls face particular vulnerabilities when it comes to conflict zones; societies and governments that would not protect them; and community members who, instead of protecting women, actually end up persecuting them. That is why our refugee policy recognizes female vulnerability as one of the indicators for candidates being eligible for refugee resettlement to Canada.

In addition to that, we also have the Women at Risk Program, which we've had a lot of success with. In that program, we work closely with the UNHCR and other private sponsors to make sure we identify the most vulnerable women who are at imminent risk, in precarious situations and who have local authorities who cannot ensure their safety. We make sure we use this program to address that particular need for protection.

This also includes women who have experienced significant difficulties, such as harassment by local authorities or members of their own community. Some women may need immediate protection, while others are in permanently unstable circumstances.

The Immigration and Refugee Board, which assesses the merits of a case, is, as you know, a quasi-judicial independent body. But we work closely with them and we engage with them in terms of policy matters and so on, but they're independent in terms of decision-making. If there's a particular policy problem in terms of women being able to be taken at their word in terms of how they present the lack of protection by the state and if there are areas for improvement in that particular point, I'm happy to look at that, take it back to my department and make sure we work with the IRB to take that into consideration.

I can tell you that from our international development aid policy, to our refugee policy and to our overall government policy, we've put women and girls at the heart of the work we do. We recognize we should have gender-based analysis on what we do. That includes refugees and protected persons. I assure you that I will apply that lens to analyze the question that you've brought forward.

CHILDREN WITH PERMANENT RESIDENCY STATUS

Hon. Victor Oh: Minister, thank you for coming today. My question for you concerns the amendment to Bill C-6, which I introduced and was passed with majority support in the Senate. This long-overdue amendment aims to provide equitable access to citizenship to vulnerable children with permanent residence status, including children in the care of child welfare authorities and children whose parents are not eligible or unwilling to apply for citizenship. Our current citizenship law unfairly discriminates against these children for circumstances that are outside of their control — specifically, for not being 18 or having a parent or guardian submit an application at the same time.

The only exception available to these children is to request a ministerial waiver for a grant of citizenship on compassionate grounds, a discretionary process that is ineffective and inefficient. The small number of vulnerable children who manage to learn about this process must first find access to legal support to submit a request and then wait years for a decision to be made. The large majority for whom this process is largely inaccessible has virtually

no option but to wait until reaching adulthood to apply for Canadian citizenship. In the meantime, these vulnerable children are deprived of basic rights guaranteed in our Charter and are placed at risk of being removed from the only country they have ever known.

Multiple child welfare advocates, legal experts, economists and members of the public agree that we need immediate legislative change to address this serious issue. There is simply no justifiable reason to continue to deprive vulnerable children from obtaining citizenship as early as possible. My amendment fixes this wrong by giving vulnerable children the actual right to apply for citizenship instead of merely the possibility of obtaining this status through ministerial discretion.

Minister, my question to you is simple: Will the federal government commit to putting aside all partisan considerations and work together to advance the best interests of vulnerable children with permanent resident status? If so, will the federal government support the amendment that I introduced to Bill C-6 to give this group equitable access to Canadian citizenship; yes or no?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you, Senator Oh, for that important question and for raising an important issue. I want to assure you that current authorities under the Citizenship Act already allow a minor to request a waiver of the age requirement when they're making an application for Canadian citizenship. However, I can assure you that the government will give careful analysis and consideration to the amendments proposed by the Senate, including your amendment.

I also want to inform you that the raison d'être for Bill C-6 is to remove obstacles to citizenship and to clear the path for all eligible permanent residents who want to become Canadian citizens. We are of the same mind when it comes to easing the path for people to become citizens and not creating obstacles for citizenship, which we feel Bill C-24 did.

Bill C-6 also enhances program integrity, supports the goal for making it easier for immigrants to build successful lives by taking that final step of integration by becoming Canadian citizens.

Again, I want to thank you for raising that issue. I can assure you I will give my most careful analysis and consideration to that amendment. At the same time, I want you to note that the current legislation, the Citizenship Act, does allow for minors to request a waiver in their application for Canadian citizenship.

LANGUAGE CLASSES AND CHILD CARE FOR SYRIAN REFUGEES

Hon. Salma Ataullahjan: Minister Hussen, welcome to the Senate of Canada.

Between June and September 2016, the government conducted a rapid evaluation impact of the resettlement and early settlement outcomes for the Syrian population in Canada who were admitted as part of the initial 25,000 Syrian refugees, a commitment of the government. As part of the process, the government surveyed 800 newly arrived Syrian refugees. Interestingly, July 2016 was also when the Senate Committee on Human Rights released its observations in relation to its ongoing study on steps being taken to facilitate the integration of Syrian refugees.

• (1600)

In any event, the government evaluation, dated December of 2016 — though ipolitics has it published only in April of 2017 — essentially outlines many, if not all, of the issues that the Senate Human Rights Committee found deeply concerning both in their July 2016 observations and in their final report tabled in December of 2016; namely, levels of unemployment, lack of available language training, lack of child care attached to language classes, access to the Canada Child Benefit, transitioning to month 13, challenges for Syrian youth, mental health issues, and concerns for family members still overseas.

While each of these issues are critically important, and I would be interested in knowing how the government is addressing each and every one of them, my question for you today, minister, relates to employment and language training.

At the time of the study, the summer of 2016, only half of the adult, privately-sponsored refugees and only 10 per cent of the government-assisted refugees had found employment. The biggest challenges facing both in finding employment was reported to be associated with learning an official language, a crucial issue as also highlighted both in the Senate Human Rights Committee observations and report.

Minister Hussen, my question is as follows: What if anything has changed since last summer with regard to the serious lack of language classes for Syrian refugees, including language clauses with child care attached? What are the current employment rates for both government-assisted and privately-sponsored refugees from the groups surveyed in the government's evaluation last summer?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you very much, senator, for that important question regarding refugees.

I want to take this opportunity to thank the generosity of Canadians for opening their doors and hearts to more than 40,000 Syrian refugees. We couldn't have done what we did, welcoming so many Syrian refugees, without the generosity of Canadians. It was a truly national effort.

It should be pointed out that Syrian refugees are integrating into our country in the same pace and in the same manner as other waves of refugees have integrated in the past. Every long-term study, including a recent study by the University of British Columbia, shows that eventually refugees contribute as much to the Canadian economy and society as other newcomers and other Canadians.

Here is what we're doing. For 2016-17 we're spending $664 million on settlement services outside Quebec. That is an

increase of $76 million because we realize that the ramp-up for the Syrian refugees requires a matching of resources to enable them to succeed in Canada.

It also includes the creation of more than 7,000 language spaces dedicated to Syrian refugees, because we recognize that some provinces, like British Columbia, had problems with wait times and waiting lists for language programs. We have dealt with those, and in my tours across the country have gotten feedback that we have addressed those particular challenges.

Supporting refugees is not just a humanitarian objective, it's also in our national interest in terms of their economic success but also their contributions to Canada eventually.

However, we are putting money in place to ensure that there are language supports, language training, job placement supports and other kinds of supports . Those settlement services are not only used by refugees, they are used by all newcomers, because even for skilled newcomers who come to give Canadians their talents and their skills and fill that skill and labour shortage that we have in some industries, they also use our English language classes, because although they are proficient in English and French, sometimes they need upgrading to adapt to Canadian English or Canadian French.

In addition to that, there are numerous examples of refugees who have already turned around and contributed back to Canada. In terms of the integration process, previous waves of refugees have had the same challenges integrating in the short term, but over the long term give back a number of times to Canadian society.

In fact, one of the groups that have been most active in assisting Syrian refugees has been the refugees who came here from Vietnam. We had received, as a country, more than 60,000 refugees from Vietnam fleeing for their freedom, and those individuals and their descendants now turn around and help our Syrian refugees, so that's the virtual cycle that we encourage.

As a government we are doing our part, $76 million more for settlement than the previous year. We have engaged the private sector to help out refugees as well. We have an employment strategy for newcomers that gives opportunities for Canadian experience, mentorship, job matching and pre-arrival support so refugees who have a skill or a trade can practice in their chosen field and can give back to our country.

VISA REQUIREMENTS FOR MEXICAN NATIONALS

Hon. Percy E. Downe: Minister, welcome to the Senate of Canada.

The Government of Canada has lifted the visa requirement for Mexico. That was very well received, but I read numerous reports in the media about the number of asylum seekers rising on a year-over-year, month-over-month basis. I'm just wondering what your discussions with the government of Mexico are. It's in their best interests to coordinate this at their end so Canada doesn't have to restore the visa at some point. What is your government doing in discussions with Mexico to prevent that happening?

Hon. Ahmed D. Hussen, P.C., M.P., Minister of Immigration, Refugees and Citizenship: Thank you, senator, for that important question. In terms of the visa lift for Mexico, it's part of our effort to rebuild the important bilateral relationship that we have with Mexico. The visa lift will improve bilateral relations with Mexico. It will also contribute to lasting economic benefits for Canada. We have already seen the benefits. Compared to the previous year when the visa was in place, we are already seeing a threefold jump in Mexican tourists, as well as business travellers. This will create lasting economic benefits for our country.

We continue to work very closely with Mexican officials to address any risks associated with the visa lift, and we monitor any risks and work with them to solve it. We have been carefully monitoring these migration trends. We have seen a modest increase in asylum claims from Mexico, but we anticipated that, and we had put in place the resources to deal with this in terms of supporting the Immigration and Refugee Board, which is the body that hears these claims.

But that is more than outweighed by the lasting economic benefits that we have seen — a threefold jump in legitimate travellers, business travellers, tourism, tourist travellers, as well as the improved contribution that this visa lift has had on our bilateral relations with Mexico.

We continue to engage our Mexican counterparts to make sure that any risks will be addressed in our engagement. We work with them very closely, and we have meticulously monitored the migration trends to ensure we can address any risks associated with the visa.

The Hon. the Speaker: Honourable senators, unfortunately, time for Question Period has expired. I'm certain everybody would like to join me in thanking Minister Hussen for being with us today.

Thank you, minister. We look forward to seeing you again in the future.

ORDERS OF THE DAY

CITIZENSHIP ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Omidvar, seconded by the Honourable Senator Gagné, for the third reading of Bill C-6, An Act to amend the Citizenship Act and to make consequential amendments to another Act, as amended.

And on the motion in amendment of the Honourable Senator Lang, seconded by the Honourable Senator Martin:

That Bill C-6, as amended, be not now read a third time, but that it be further amended

(*a*) on page 4,

(i) in clause 4 (as replaced by decision of the Senate on April 4, 2017), by replacing sub-clause (2) with the following:

"**(2) Subsection 10.1(2) of the Act is replaced with the following:**

(2) Any court that sentences a person to at least five years of imprisonment for a *terrorism offence* as defined in section 2 of the *Criminal Code* or for a *terrorism offence* as defined in subsection 2(1) of the *National Defence Act* may, in its discretion, make a declaration that the person was so sentenced.",

(ii) in clause 5, by replacing line 7 with the following:

"**5 Section 10.3 of the Act is replaced by the following:**

10.3 A person whose citizenship is revoked under paragraph 10.1(3)(b) becomes a *foreign national* within the meaning of subsection 2(1) of the *Immigration and Refugee Protection Act*.

5.01 Section 10.4 of the Act is replaced by the following:

10.4 (1) Subsection 10.1(2) does not operate so as to authorize any declaration that conflicts with any international human rights instrument regarding statelessness to which Canada is signatory.

(2) If an instrument referred to in subsection (1) prohibits the deprivation of citizenship that would render a person stateless, a person who claims that subsection 10.1(2) would operate in the manner described in subsection (1) must prove, on a balance of probabilities, their claim.", and

(iii) by adding after line 13 the following:

"**6.1 Section 10.7 of the Act is replaced by the following:**

10.7 (1) An appeal to the Federal Court of Appeal may be made from a judgment under subsection 10.1(1) or section 10.5 only if, in rendering judgment, the judge certifies that a serious question of general importance is involved and states the question.

(2) An appeal from a judgment under subsection 10.1(2) lies to the Court Martial Appeal Court in the case of a judgment of a court martial or, in any other case, to the court of appeal of the province in which the judgment is rendered.";

(*b*) on page 5, in clause 10,

(i) by replacing lines 14 to 17 with the following:

"**(3) Paragraphs 22(1)(f) and (g) of the Act are replaced by the following:**", and

(ii) by replacing line 23 with the following:

"or paragraph 10.1(3)(a); or

(g) if the person's citizenship has been revoked under paragraph 10.1(3)(b)."; and

(*c*) on page 8, by replacing clause 26 (as replaced by the decision of the Senate on April 4, 2017) with the following:

"**26 Paragraphs 46(2)(b) and (c) of the Act are replaced by the following:**

(b) subsection 10(1) of the *Citizenship Act*; or

(c) paragraph 10.1(3)(a) of the *Citizenship Act*.".

Hon. Art Eggleton: I thank the minister for agreeing with my previous remarks, and I'll carry on from there.

What I was saying, and he picked up on this, was the stigmatizing and devaluing of citizens being marked as second class because, as one witness said before the committee, it sort of puts in place a narrative that says, "You're not quite one of us." That is, in effect, what you would be doing here with this amendment.

• (1610)

You're saying that the people who are dual citizens are subject to a different penalty level from those who are born here or those who are citizens only of Canada. Some of these dual citizens are not even dual citizens by choice. They can't even renounce the second citizenship, in some cases, because their countries have what is called a clinging nationality where they suggest because your parents were born there that you, in fact, are one of them, and you may never have been to the country. Some of these people may never have been to the country and yet they could be put into this class that is not quite one of us because it involves a different punishment for equal crimes.

I think most Canadians would support equal punishment for equal crimes. If you asked Canadians that in a poll, I think that's the kind of answer you would also get, because heinous crimes should be dealt with fully according to law and regardless of citizenship.

Senator Omidvar, in her comments on this particular amendment, referred to equal rights, equal responsibility and, when necessary, equal punishment. That, I think, is the proper kind of position that we should be taking, and it's what the government is proposing.

Let me get on to the third point here, which is the suggestion that deportation doesn't make us safer. I've heard it said by a couple of colleagues that they don't buy that argument, but the people who are putting that argument forward have some pretty good credentials in terms of understanding these issues. Let me give you two quotes. One is from Ray Boisvert and the other one is from Michael Pearce, who are both former CSIS personnel. Ray said that once terrorists are overseas they are very hard to track and our intelligence "goes black." Michael Peirce said that deported terrorists "could transfer their skills and knowledge to terrorist organizations."

On top of that, we had a bill that the previous government brought in, Bill S-7, which was an act to amend the Criminal Code with respect to offences for people leaving or attempting to leave Canada for the purposes of committing an act of terrorism. As was said by an expert witness before the committee:

> . . . Canada has worked arduously and deployed tools like no-fly lists, passport revocation, peace bonds and outright criminal prosecution to stop Canadians from travelling for the purpose of participating in terrorist activity, but the objective of citizenship stripping is ultimately to deport these people. If truly dangerous people are deported, the net effect may be to speed foreign fighters on their way. Again, this raises questions of rationality.

I think those are very persuasive arguments. We need to, in this country, be able to develop effective counter-radicalization programs.

The first person who was convicted of terrorism in this country and is serving time in jail was born and raised in Canada, so obviously that person is not going to be subject to deportation. But what is certainly needed in that person's case, or anybody else's case, if there are convictions, is to deal with the sole question of counter-radicalization. The same would apply to people who are dual citizens. Rather than deporting them, risking that they're going to fall into the wrong hands or be reinvigorated in that kind of activity by the people they associate with in these other countries, it would be better to have a more effective counter-radicalization program.

For those reasons, honourable senators, I will not be supporting the amendment of Senator Lang. I would urge the Senate to stay with the principle of the bill which, in fact, was on the basis of equal punishment for equal crimes.

Hon. Bob Runciman: Would the senator accept a question?

Senator Eggleton: Sure.

Senator Runciman: Really, it's combining two points into one. You talked a couple of times, senator, about stigmatizing and devaluing dual citizenship. I would certainly like you to expand on how that would occur.

We talked about two classes of citizenship, with Minister McCallum referencing early on that this was a way to deal with that. It seems to me that someone — and I'm one of them — could indicate there have always been two classes of citizenship when you look at the folks who are solely Canadian citizens and those with dual citizenship. I think you can say those with dual citizenship have a leg up over the rest of us in many respects. I have friends and family, and I'm sure you know of people, who have U.S. citizenship, for example, or French or U.K. citizenship, and they have opportunities that you and I would not have afforded to us very easily, in terms of employment, for example. I think there's a real benefit in many respects to having dual citizenship, which I think you and those arguing your point of view are ignoring.

To suggest that someone will be concerned about degrading or stigmatizing, these are people who are engaged in an act of terror against their adopted country. I would like to have a fuller explanation of your view of that.

I stand to be corrected, but you talked about people that didn't acquire citizenship but simply gained citizenship unwillingly or unwittingly. My understanding of the legislation is that it only applies to persons with acquired citizenship who deliberately have chosen to have more than one citizenship. If I'm wrong, you can correct me, but if I'm not wrong, that takes issue with the point you were using to try to justify your position.

Senator Eggleton: I don't think we should do anything to advocate for two classes of citizenship. You say it already exists. Well, it exists in a positive context, but not in this kind of context. This context deals with crimes against this country, heinous crimes, and in that case, there should be equal punishment for equal crimes. It should not result in somebody's citizenship being that additional penalty.

Senator Runciman: It's only a penalty if you commit the terrorist act.

Senator Eggleton: There are other terrible acts in this country. What Robert Pickton did is no less terrible, or even in the case of the crime at the mosque in Quebec City. The person was not charged with terrorism; they were charged with murder.

The principle, I think, still stands. The principle stands that, in fact, we should not be putting citizenship on the line in this particular case. Let's take the full weight of the law and deal with that person in that respect. It also doesn't work in our interest to deport them because you could end up with them falling into the same kind of activity over there that they were convicted for here. I think the CSIS agents have quite clearly said that that's not in our interest at all.

Senator Runciman: You didn't explain, to my satisfaction, anyway, how this stigmatizes or devalues dual citizenship. It seems to me we're talking about individuals who have engaged in an act of terror against their adopted country. It seems to me that rather than being a devaluation of dual citizenship, it could potentially act as a deterrent against committing such acts.

The Hon. the Speaker: I'm sorry, Senator Eggleton, your time is expired. Are you asking for time to answer the question?

Senator Eggleton: Just enough to complete this answer, if I might.

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

Hon. Senators: Agreed.

Senator Eggleton: I think when you do this, you're saying that dual citizens can be subject to additional penalties, and I think that puts them in the category of not being the same as the rest of us.

Senator Runciman: You don't see that as a deterrent?

Senator Eggleton: No, no, I think that's true. I think that for a lot of dual citizens, as well-intentioned they are to uphold the law and be good Canadians in every respect, a stigma is attached to that class of people by this kind of amendment.

• (1620)

[*Translation*]

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, I am very pleased to rise today to support Honourable Senator Lang's proposed amendment to Bill C-6, an act to amend the Citizenship Act and to make consequential amendments to another act.

[*English*]

The amendment proposes that a court that convicts an individual of a terrorist offence and sentences that individual to a term of imprisonment of five years or more — this is major, major crime — may, in its discretion, revoke the citizenship of such an individual. I think it's important to understand several points about the proposed amendment. First, it is directed at those small numbers of individuals who have decided to commit acts of violence against their fellow citizens and against the very society in which they reside. Terrorism is defined in Canada's Criminal Code as:

> . . . an act or omission . . . committed for a political, religious or ideological purpose . . . with the intention of intimidating the public . . . that intentionally causes death or serious bodily harm to a person by the use of violence, endangers a person's life . . . causes a serious risk to the health and safety of the public.

Terrorism is arguably the most serious crime that an individual can commit against their fellow citizens and against their society. In *R. v. Khawaja*, the Ontario Court of Appeal found:

> Terrorism is a crime unto itself. It has no equal. It does not stop at, nor is it limited to, the senseless destruction of people and property. It is far more insidious in that it attacks our very way of life and seeks to destroy the fundamental values to which we ascribe — values that form the essence of our constitutional democracy. . . . Terrorism, in our view, is a special category of crime and must be treated as such.

This decision was subsequently upheld at the Supreme Court of Canada, which, without suggesting that terrorism offences attracted special sentencing, rules or goals, agreed that denunciation and deterrence were important principles in the sentencing of terrorism offences, given their seriousness. Just as we need to appreciate the unique character of terrorism offences within Canada's criminal law, we also need to be mindful of the global steps that have been taken by liberal democracies to fight against terrorism.

[*Translation*]

Many democracies that share our values have already incorporated provisions into their penal codes to revoke citizenship following acts of terrorism and other offences.

Countries that have done so include: Australia, Belgium, France, the Netherlands, the United Kingdom, the United States, Denmark, Bulgaria, Ireland, Austria, Romania, Slovenia, and several other members of the international community.

[*English*]

These are states that fully share Canada's liberal democratic values but that have also determined that the response to acts of terrorism must be unequivocal. I fear that Bill C-6, in its current form, represents equivocation. It sends the wrong signal from Canada to its international partners. This is why the measured and focused amendment that Senator Lang is proposing is needed. It provides a court with a discretion to revoke citizenship, where the evidence in a specific case determines that such a step is warranted. It limits this judicial discretion to the most serious cases where an individual has been sentenced to five years or more in prison. It affords an individual who may have their citizenship revoked the right of appeal to the Federal Court of Appeal. It also provides, consistent with the provisions of Citizenship Act, that no individual could be rendered stateless as a result of such a decision. This is a very reasonable approach, and I believe it is an appropriate compromise with the approach taken under legislation passed by the previous government. It is the type of compromise, I believe, that this chamber should be striving for.

When the former Minister of Immigration, Refugees and Citizenship, the Honourable John McCallum, spoke on this bill in the other place, he stated that it is the judges, not the politicians, who determine the sentences. While I disagree with the former minister's assertion that the court should never even have the option to consider citizenship revocation, I do agree with him,

based on the extensive debate that Bill C-6 has had in both houses of Parliament, that judges should be the ones to make this determination and that they should do so taking into account all the circumstances of a particular case.

I think it's important, again, to remind ourselves that the revocation of citizenship itself is not new under Canadian law. It has been permitted since the first Citizenship Act was enacted in cases of false representation or concealment of material circumstances. In an era in which democracies are confronted with attacks directed at the very core of society, I believe that modestly expanding these criteria, as proposed by this amendment, is appropriate. I do not believe that such an addition would send us down a slippery slope, to borrow the words of some. The amendment is limited to the most serious category of crime, in a manner that is consistent with the court's findings in *Khawaja* that terrorism is:

> . . . a special category of crime and must be treated as such.

Canadians are a welcoming people. We grant citizenship to those seeking a safe place to raise their family, to all who are ready to work hard to contribute to the caring and welcoming society that we have built together and adore. However, as legislators, we also have an obligation to take the steps that are necessary to keep our country safe for all of those who have chosen to live here peacefully.

Individuals who seek to attack our society and its core values should not have an unfettered right to remain as citizens of this country. The courts must be afforded the discretion to revoke citizenship in such cases, if warranted. This is precisely what this amendment proposes to permit. I urge all senators to examine the issue objectively and to support the amendment.

The Hon. the Speaker *pro tempore***:** Would you accept a question, Senator Smith?

Senator Smith: Certainly.

Hon. Carolyn Stewart Olsen: Thank you, senator. I believe there's been misinformation, or perhaps I'm not understanding very clearly. It was my understanding that a person who is tried and charged with terrorism would be convicted and sentenced and that they would then serve their sentence in Canada. Then, after serving their sentence — I would hope for 30 to 50 years — you can then remove their citizenship, and they would be sent back.

I'm not sure if you would agree, but I think the argument that we're just deporting our problems has no weight in this current discussion.

Senator Smith: Thank you very much, senator, for the question. In the research that we did on this particular issue, a perfect example is the Group of 18, who have been sent to prison for crimes of proposing terrorism, which were thwarted, thankfully. This is not retroactive, so those individuals will go through the system and will be, after a certain period of time — I believe they have life sentences — free to restart their lives in this country.

I guess what we're talking about here is another issue of someone who is convicted of a crime of terrorism of five years or more, the most serious crimes, having a deterrent against those particular people by the revocation concept. I think there are two different situations. It is not going to be retroactive because those who have been found guilty are serving time here, so it supports what Senator Eggleton and some of the other senators were saying on the other side. It really is limited to specifically that hard-core group, which are not numerous in number. In those exceptional cases, we have to have the ability to protect our society. We have to have the ability to act, and I don't see it as this: "If you're a Canadian you're a Canadian you're a Canadian." But wait, "If you're a terrorist, you're a terrorist, you're a terrorist." So what is it? What is it going to be? What are you?

When I go to the immigration, when people are signing up to become Canadian citizens and I see the faces and I see them looking and the pride in their eyes, we have to have the pride in everybody who comes in. We can't have people who come in saying, "Oh, just maybe I'm going to do this, and I'm going to be a Canadian."

• (1630)

When you come in, you are on the team or you're not on the team. You had better make the commitment, because if not, you're gone. I'm not hard-headed or an extremist. I'm passionate about Canada. We have a Canadian society we're building. We have to have consistency in our values, especially for that small group of people.

Senator Stewart Olsen: I don't argue with any of that. I despise this particular piece of legislation because of that. You've kind of made my point. They're still going to serve a long sentence. They will still be deported. We can deport them afterwards. My problem with the amendment — and perhaps you can help me with this — is that it allows total abrogation of responsibility by the minister. I believe this is a ministerial decision to make. I'm not talking about politics. I'm talking about the responsibility you accept when you're a minister.

I also believe that turning over sensitive documents to judges and the judicial system is a very high security risk to this country. Perhaps you could comment on that, senator.

Senator Smith: If you go back to the Citizenship Act, which outlined, back in 1985, the rights of Canadian citizens, and then you go to the bill, section 10.1, which deals with the whole revocation issue, was repealed. There is quite a long part of the Citizenship Act that is going to be repealed. The issue is for people in specific cases, and these are very selective cases. It's not like we're trying to do a witch hunt, but are we going to make sure that the extreme individuals will be dealt with?

On the issue of whether it's a minister or whether it's a judge, we appoint Supreme Court judges. We have the highest level of expectation of these individuals. It's not a similar case, but we've lived through a case where we've had a rendering today of the importance of the honour and dignity you have in your office. So when you look at judges, I would hope that judges would have that same level of integrity and honesty that's required of that

office. I'm not saying that ministers don't, but will the ministers have the same degree of education and experience that a judge perhaps has? It's a value judgment that's being made. Mr. McCallum himself, the minister, said if there's a choice between the two, it's the judges.

Hon. Ratna Omidvar: I have been patiently waiting to ask my question. Senator Smith, thank you. I first want to clarify something and then I want to ask a question. You stated that the United States regularly revokes the citizenship of dual citizens on national interest grounds. They do have a statute on the books, but constitutionally they are unable to do this. U.S. revocation is basically impossible for cases outside fraud and acquisition, even where grounds exist statutorily. The Supreme Court of the United States has imposed significant due process obstacles to revocation.

This is in a 5-4 ruling of the Supreme Court. We are not the United States; I know that. But it's the same issue that this amendment will bring into conflict with the Charter. Is it the role of this chamber to approve laws that almost certainly violate the Charter?

Senator Smith: In the study that we did, we approached people who are constitutional, Charter experienced individuals. I think the truth is that you're going to get certain people who say, yes, it would affect the Charter, and those who say no, it wouldn't affect the Charter.

At the end of the day, as you go through legislation in history, you will probably have the proof come out in the experiences that courts go through and countries go through.

What I was most interested in looking at was the number of countries that have this option. My understanding is there were 34 countries, and of those 34 countries, there were countries that shared similar values to us. Did they each have the same type of Charter or protections that we do? The answer was already given, and the answer was no.

I'm not debating because I'm not a constitutional expert. I just looked at it from whatever common sense hopefully I have, and from reading that I did, which I did quite a lot during the two-week period because I knew this was coming up. I think that when you have a certain group, understand this is not a large group of people. This is a very segmented group. It's an exception group. But should we address exception groups? That maybe is an issue that we need to talk about. Senator, I'm not a constitutional expert.

Senator Omidvar: Neither am I. That makes two of us. However, I think you and I spent our break in the same way: reading and studying this bill.

You talked about 34 OECD countries that deport dual citizens based on national security grounds. I can give you a list of the other 35 who do not. But let's not get into that. I have always said Canada has a somewhat exceptional place in this narrative.

Let me go back to the fact that it does not make a difference if it's the minister who is revoking or if it's a judge. The mere existence of a differential penalty based on someone's citizenship is a violation of the equality guarantees of section 15 of the Charter of Rights and Freedoms. Knowing this, do you still think that it is all right for us senators to approve a law that may — you say "may"; I say" will" — violate the Charter? Is that our role?

Senator Smith: That's an excellent question. I'm not going to dodge the answer, but I would probably, knowing I've been hit in the head so many times, like to think about it before I give you a direct answer.

[*Translation*]

Hon. Renée Dupuis: I have a question for Senator Smith. In a situation where more than one individual — say two, three, or four — is convicted of terrorism, and where one has dual citizenship and another does not, can you tell me how you solved the problem raised in Senator Lang's amendment of revoking citizenship in some cases while not being able to do so in others?

Senator Smith: Thank you for your question. During our study, we tried to look at the issue in terms of the sentence for the crime, and that sentence was five years or more. As you know, in our justice system, different crimes get different sentences. We did include that aspect in our analysis.

We asked an expert if these provisions conflicted with the Canadian Charter of Rights and Freedoms. The expert told us that, based on the analysis, the Charter would probably not be violated, so maybe, maybe not, it would depend on the case.

We limited our study to excessive crime, with the notion of "terrorism" being excessive by definition. Based on the definition of the crime, the sentence imposed, and an understanding whether that criminality could affect a person's rights, some will say that citizenship should not be revoked, and others will say that it should. That's why, if such a law passes, many cases will end up in court. Ultimately, we have to take a close look at the situation and figure out what we think of it. That is the opinion that emerged from our study.

• (1640)

I studied the Citizenship Act, I analyzed the changes, and I considered some important Supreme Court rulings. I based my approach on this information. Perhaps my approach is not acceptable to those listening, but it is my opinion.

Senator Dupuis: Perhaps I should have indicated that I was speaking about a terrorist incident involving several people. For example, let us say that there were three people involved—one has dual citizenship and the others do not. One of them could have his citizenship revoked, but not the other two?

Senator Smith: Frankly, I did not go into such detail. I did not have the time to analyze five cases for and five cases against, with two that have a certain outcome, and four with a different outcome. I am sorry about that.

[*English*]

Hon. Donald Neil Plett: Honourable colleagues, I rise today to speak to Senator Lang's proposed amendment to Bill C-6. I am proud to state that I wholeheartedly support this amendment and

I oppose the primary objectives of this legislation. That should come as no surprise, considering I was equally and as fervently supportive of the Conservative government's Bill C-24, which, among other things, would allow for the revocation of Canadian citizenship for dual national convicted terrorists.

Senator Lang's amendment will provide a sentencing judge with the power to revoke the Canadian citizenship of an individual convicted of committing the most serious and egregious terrorist acts. This moves the power away from the government and gives the power to the judiciary, which should alleviate some of the concerns that have been brought against this legislation with respect to due process.

It is important to note that approximately 86 per cent of Canadians support the revocation of citizenship for terrorism, speaking to what Senator Runciman said earlier. As we all know, our Conservative government put forward legislation to revoke the Canadian citizenship of convicted terrorists. After the legislation passed, I remember being floored by some of Prime Minister Trudeau's comments, including, "The Liberal Party believes that terrorists should get to keep their Canadian citizenship . . . because I do." Then later, at a town hall in Winnipeg, Trudeau stated how disgusted he was with this legislation and said, "As soon as you make citizenship for some Canadians conditional on good behaviour, you devalue citizenship for everyone." It is preposterous to suggest that stripping terrorists of Canadian citizenship would somehow devalue citizenship for anyone.

Also, let's be clear: This is not conditional on good behaviour. This is not conditional on not running a red light or not being a productive member of society. Not even the commission of the most heinous violent offences could add conditionality to your citizenship. With the passage of this amendment, citizenship would be conditional on not being a terrorist. That's a fairly high bar.

Some people in this chamber have talked about what an honour it is to receive Canadian citizenship, and they are absolutely right. Becoming a citizen of this great country, and all of the rights, responsibilities and privileges that come along with that, is an incredible honour and a defining moment in the lives of many Canadians. However, to suggest that the provisions in question would somehow take away from the Canadian identity that so many hold dear is truly unfounded.

My good friend and colleague Senator Jaffer stated in her speech:

> When a Canadian knows their time in the country could be cut short at the whim of the government, they cannot hold the same loyalty as a Canadian who knows this is their home forever.

Let's break down that logic. Do we really believe that, after the passage of Bill C-24, our country's dual citizens started feeling less secure in their lives in Canada? Did they start making alternative living arrangements in their country of origin? Were they kept up at night thinking, "I really hope I don't commit terrorism tomorrow, because I really like being a Canadian citizen"?

To say the logic is flawed is the understatement of the year. If dual national citizens have actually been given the idea that their time could be cut short at the whim of the government, then the parliamentarians who have been responsible for perpetuating this rhetoric should be truly ashamed of themselves. To repeat the senator's argument, when a Canadian knows their time in the country could be cut short at the whim of the government, they cannot hold the same loyalty as a Canadian who knows this is their home forever. So we are now worried, with this provision in place, that the loyalty of a person plotting to commit terrorism against our country may now be compromised.

The loyalty of dual citizens should never be compromised and their citizenship should certainly not be conditional on simply good behaviour. For the Liberals to continually generate this unnecessary fear among new Canadians and dual citizens is irresponsible and truly dangerous. This, colleagues, has become a tiresome political game of the Liberals spanning several decades. They say, "We are pro-immigrant. It is the Conservatives who are against you. Vote for us. The Liberals will break down all the immigration barriers set up by Conservatives, and the Conservatives continue to find ways to work against you and your family."

Fine, use that nonsense rhetoric on the campaign trail, but do not allow it to manifest itself into policy. The Prime Minister's "a Canadian is a Canadian is a Canadian" mantra is a direct attempt to prey on the fears and insecurities of dual national citizens for political gain. They have put forward a calculated vote-getting strategy that relies on relaxing permanent residency laws and removing protections against sham marriages of convenience.

To address the concern that we are making two classes of citizens, I simply don't buy it. But perhaps, like our allies, we are creating a distinction, and that distinction is between terrorists and non-terrorists. It is one that I and 86 per cent of all Canadians are happy to stand by.

With respect to those trying their hand at the slippery slope argument, with respect, it does not work here. Slippery slope arguments proceed from trivial causes, opening up wider and more consequential breaches. When looking at legislation as a whole, it is important that we look at the genesis of that legislation.

While I am reluctant to use buzzwords and phrases like "soft on terror," Prime Minister Trudeau has more than earned that reputation. This is the same person who, after the horrific bombing at the Boston Marathon, rather than categorically condemning the terrorism that ensued, stated "that this happened because there is someone who feels completely excluded." The Prime Minister has time and time again shown his reluctance to call terrorism "terrorism," unless, of course, the circumstances and immutable identity characteristics of those involved checked the boxes on his warped social justice test.

As Rex Murphy stated in his contemplation of this proposal:

> The soldier who flees in combat and exposes his fellows to danger is seen as not worthy of being a soldier. The judge who has oiled his palm with a bribe is seen as not worthy of being a judge. Treason and excommunication are

> long-standing responses to ultimate disfealties — and they are surely a kind of cancellation of status, one by the death penalty, the other by exclusion from the community of believers and the possibilities of salvation.

• (1650)

> To my mind, these are all of an inferior enormity to the case of a citizen who abandons the country in which he was born, or to which he gave the oath of citizenship, who then pledges his fealty to a murderous band professing a murderous creed.

I could not agree more.

As has been stated before, 34 countries allow for the revocation of citizenship in the case of convicted terrorism or similar offences. Senator Lang listed several of them in his remarks. These include the United States, where the citizenship of 57-year-old Khaled Abu al-Dahab was revoked two weeks ago for lying to immigration officials about his membership in an Egyptian terrorist organization. Al-Dahab became a dual U.S.-Egyptian citizen in 1997, after which he was convicted and sentenced to 15 years in an Egyptian prison for being a member of a terrorist organization and attempting to overthrow that country's government.

This fact adds further support that Canada would be out of step with many of its allies by repealing this important piece of legislation. It is important to note that the current law in Canada will not make a person stateless — a reality that exists in Britain should a citizen of that country commit an act of terror against it.

A person who comes to Canada, who stands and takes an oath to the Queen and our country and then breaks this oath by bringing terror to our streets, this person is not a Canadian. They never were a Canadian to begin with. The ability to strip Canadian citizenship from a person who obtained it under false pretenses is a rational response to a post-9/11 world. Many of us vividly remember the al Qaeda-inspired Toronto 18 plot and have sincere gratitude to our law enforcement agencies for foiling this horrific attack before it could materialize.

During our committee study of this legislation, I was disappointed to learn that the Trudeau government is not even waiting for this legislation to pass before they begin to restore citizenship to these deplorable individuals. That this government is not even waiting for the democratic process to take its course should sound an alarm across the country. Not only is this a government that objects to the opposition in the Senate and the house, but it is a government with such little respect for democracy that it isn't even going to wait for Trudeau-appointed senators to vote on the legislation.

Honourable senators, it is our duty to provide sober second thought to every piece of legislation that comes to this chamber. Rather than repeal the section of the act in question in its entirety, Senator Lang has put forward an approach that is worthy of debate and ultimately our support. When a terrorist is convicted in a court of law, the judge should have the ability to revoke citizenship during sentencing.

[Senator Plett]

Colleagues, this bill came to us, and while flawed and overwhelmingly ideological as it may be, it is our responsibility to consider it. We have made a number of amendments that will improve the legislation. This amendment proposed by Senator Lang will protect Canadians and keep our laws in line with much of the developed world. I hope you will join me in supporting the amendment before us.

Hon. Vernon White: Honourable senators, today I rise to speak about Bill C-6, but more specifically the amendment brought forward by Senator Lang.

As we know, during the Forty-first Parliament, the government brought in Bill C-24, An Act to amend the Citizenship Act and to make consequential amendments to other Acts that made a number of changes to the Citizenship Act in specific. One of those changes included the ability for a naturalized Canadian, born abroad but who became a Canadian citizen, to have their citizenship revoked should they be convicted of a serious crime related to terrorism. Bill C-6 is meant to reverse a number of the sections found in Bill C-24, including a reversal of citizenship revocation for naturalized citizens convicted of terror-related, serious criminal acts. This amendment proposes a shift from what the legislation passed in 2015 contained, as it will put the onus on the court to determine whether revocation should or would occur.

The issue I want to focus on is the cost to Canadians to track and maintain surveillance on individuals who are under investigation for terrorism-related crimes and/or those who have been convicted of such crimes today. We have heard often and continue to hear that maintaining access to or knowledge of the individual involved in such illegal activity is a stress to our security and policing resources. In fact, over the past number of years, we've heard evidence in the Standing Senate Committee on National Security and Defence that we are continuously keeping tabs tracking and engaging with individuals in this country who appear determined to become engaged in terror-related criminal acts or terrorist activity or want to engage in such activity elsewhere.

We heard from witnesses that the cost of terrorism goes well beyond the response to a terrorist act and that the hundreds of police officers and civilian resources being utilized and engaged to stop an illegal act from being committed is crippling the agencies we depend on to keep us safe. The Standing Senate Committee on National Security and Defence heard from police and security witnesses that their forces are stretched by the weight of their counterterrorism responsibilities. One such witness told the committee that in Europe radical jihadists consume a significant amount of resources once they return. He noted where you don't have evidence you need to monitor them discreetly. I am told by professionals you need between 20 and 25 members of a security service to do that 24-7, which is beyond our resources.

In Canada alone, the RCMP has identified hundreds of officers that have been redeployed to surveil potential terrorists. While I understand the importance of doing this, it has also become a stress on our security and policing resources. In fact, police leaders at most of our major police services in Montreal, Calgary and Vancouver, just to name a few, as well as our provincial and national police agencies, are speaking to the stress on financial and human resources to maintain surveillance on those who are a risk or potential risk to our communities.

I recognize this surveillance, regardless of cost, is an important aspect of keeping us safe. We've seen a number of cases where this surveillance has successfully stopped serious criminal terrorist acts. The question we're asking in this amendment is whether an individual convicted should be automatically permitted to remain in Canada, specifically if they have another country to which they have a legitimate legal connection. Do they deserve this privilege and are we safer by having them closer? The reality is that we will spend more than $1 million tracking one individual who might commit a terrorist act each year, and we have in excess of 100 cases just like that.

We should understand that allowing those to remain following their commission of a serious criminal terrorist offence will cost us millions annually for every one of them. The cost of surveilling an individual convicted and released into Canadian society will surely further burden already stretched and overburdened police and security agency resources. I can tell you that maintaining surveillance on Canadians who are a potential risk to us is already breaking the bank. At the same time, we must continue to do so to keep those we serve safe.

Let us ask ourselves whether we should be doing the same thing for convicted terrorists who have a legal right to be elsewhere. Should we stop removing convicted terrorists from Canada who hold secondary or primary citizenship elsewhere? We will spend potentially tens of millions of dollars keeping tabs on terrorists living among us. It's a reality. It will be important to do if we hope to maintain safe communities. In fact, it will be essential. But is it a reality that we're willing to live with?

It's true that we will have more knowledge of these actors if they're allowed to remain, but that knowledge will come at a price. The price will be a decreased safety for our community at a potential increased cost to our communities and to this country. When you consider this bill and the amendment, I would ask you consider the impact on all of us living in Canada, not just those who have committed a terrorist act.

I support an amendment that places the responsibility on the judiciary. As I've heard many times in here when others have argued against mandatory minimum sentencing, we are continuously reminded of the independence of the judiciary. I agree. Let the courts decide whether terrorists convicted of serious crimes are permitted to retain their citizenship. I ask that you support this reasonable amendment and let the courts go to work. Thank you.

• (1700)

Hon. Yuen Pau Woo: Honourable colleagues, I would like to respond to Senator Lang's proposed amendment to Bill C-6. Let me first of all thank him and previous speakers for a debate that I believe is very useful for the advancement of our understanding of citizenship. Senator Lang's amendment is as consequential as it gets, not just because it has severe consequences for those affected by it, but because it gets at the very heart of how we understand Canadian sovereignty, as well as the rights and privileges of Canadian citizenship.

I listened very attentively to Senator Lang's speech two weeks ago. As he made his case for the revocation of citizenship for convicted terrorists, I could sense that it was an argument that resonated in this chamber. It certainly resonated with me. After all, who can disagree with these words from Senator Lang's speech?

> . . . I ask you to join with me in rejecting terrorism and in sending the strongest message to those who are seeking to destabilize our country and murder our fellow citizens.

And yet, honourable senators, I felt uneasy about the underlying sentiment behind those words and spent much of my break thinking about why I had this ambivalence. If I don't want terrorists living in my community, why do I feel uneasy about expelling them?

Well, two weeks of reflection on this question have led me to this conclusion: Expulsion is a reflection of weakness; it is not a reflection of strength. It is a characteristic of societies that lack confidence in their institutions, including the criminal justice system. It is also a primal instinct that stems from fear, spite and denial rather than awareness, agency and realism.

Think back on your days in high school. What was the cruelest punishment that could be meted out to kids who transgressed whatever code ruled the schoolyard? Ostracism, of course. Kicking someone out from a clique, gang or group of former friends was and continues to be the preferred punishment among juveniles. It is an impulse that often comes with a massive dose of personal spite, with little or no consideration of the consequences for the ostracized person or for the group. A modern-day variant of this punishment, by the way, is "unfriending" on social media.

Now, I'm of course not saying that ostracism of teenagers is the same thing as the revocation of citizenship of convicted terrorists. The instincts, however, are similar, and they are wrong. We teach our kids that they should face up to their problems and deal with them rather than shunt them to a place where it becomes someone else's responsibility. We also teach our children about the equality of individuals and how everyone should be treated and punished equally regardless of status.

There is no denying that the act of ostracism can feel good. That's precisely why humanity gravitates to it over and over again — that's exactly Rex Murphy's point — and I can assure you that the revocation of citizenship of a convicted terrorist will give many Canadians that same feeling of satisfaction at having gotten rid of a problem from this country. But have we? Not by a long shot.

Honourable colleagues, you have heard from others the legal arguments against Senator Lang's amendment, that it is unconstitutional because of unequal treatment of naturalized and Canadian-born citizens; that it does not make a lawful connection between declaring a person as a terrorist and revoking that person's citizenship; that the definition of terrorism cannot be left to individual judges; that there is an unfair burden on the accused individual to demonstrate that he or she is not a dual citizen, if that can be demonstrated in the first place; and so on. These are very powerful —and, for many, decisive — arguments to vote against the amendment.

I want to focus instead on the national security implications of this amendment, in part because I believe Senator Lang, as Chair of the Senate Defence Committee, has a special interest in this

aspect of Bill C-6, as do many of you. I greatly respect Senator Lang's commitment to making Canada safe from external and internal threats and I know his amendment was proposed in that spirit.

The idea of stripping a convicted dual national terrorist of Canadian citizenship is fundamentally about sending that person to another country as soon as possible. If that were not a primary objective, there would be no need to revoke his or her Canadian citizenship. Now, it may well be that deportation of that individual is delayed, perhaps indefinitely, because of considerations under what they call the PRRA process, the pre-removal risk assessment process, but this amendment will create a strong impetus for deportation, in part to satisfy the primal desire for rough justice. And that will result in sending a convicted terrorist to a jurisdiction over which we have no control, from where he or she can mount another terrorist attack, including on Canadians abroad. This person will have the added satisfaction of arguing the injustice of his treatment, being stripped of Canadian citizenship simply because he was a dual national when, as our colleague Senator Dupuis has mentioned, he may have been part of a group of other terrorists, including non-dual citizens who cannot be stripped of their citizenship.

Senator Lang and now this afternoon Senator Runciman, Senator Stewart Olsen and Senator Smith have countered that this type of person would never be allowed to leave the country unless he or she was totally reformed and therefore "safe" to be deported. But that only begs the question as to why a safe person has to be deported, other than the desire to ostracize that person.

I would now point out a contradiction in Senator Smith's rebuttal to the argument where instead of a Canadian being a Canadian being a Canadian, he says a terrorist is a terrorist is a terrorist. If that is in fact the case, why would we deport a terrorist, who is still a terrorist, to a country we have no control over and run the risk of that person committing more terrorist acts in that country or in the region or back on Canadian soil and against Canadians abroad? It does not add up.

If anything, having a reformed terrorist in the community is an asset for counter-radicalization efforts in Canada, as we have heard from expert witnesses at committee hearings. On the contrary, the deportation of reformed terrorists provides fodder for terrorist organizations to recruit disaffected immigrants in Canada precisely on the grounds that they are second-class citizens.

Let me digress from my prepared notes for a minute to address the very provocative quote that Senator Runciman gave us in his speech earlier where he posed a question to those of us who support Bill C-6: Do you then believe that fraud is a more serious offence than plotting to cut off the Prime Minister's head? No. Fraud is not a more serious offence than plotting to cut off the Prime Minister's head, and that is precisely reflected in our criminal justice system. That is why terrorists are treated more harshly in our system than people who commit fraud, and that is in fact what Senator Smith has reaffirmed by quoting *R. v. Khawaja*, where the judge very wisely described terrorism as a heinous crime and one which belongs in a very special category. And that is precisely why we would prefer for convicted terrorists to remain in our criminal justice system, where we can keep an eye on them, than sending them overseas to countries with dodgy institutions. It goes without saying that our ability to monitor terrorists who have served their time in prison is much better if they are within our borders than if they are overseas.

Now, it's one thing to argue that our national intelligence services are not up to the job and need to be strengthened or they need more money. That's a legitimate argument. It is quite another argument to throw up our hands and send the terrorist to another jurisdiction and hope for the best. What's more, the deportation of terrorists runs counter to the purpose of recent powers designated to strengthen the effectiveness of our security and intelligence services.

As Senator Eggleton has reminded us, in 2013, Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, added new offences for leaving or attempting to leave Canada for the purposes of committing an act of terrorism. The Lang amendment, on the other hand, would forcibly send convicted terrorists overseas.

• (1710)

Now, some of you may think that stripping a terrorist of citizenship is an expression of sovereign power; on the contrary, it is an abdication of our sovereignty over criminal acts against Canadians and against Canadian society, and it is a statement of how weak and incapable we consider our institutions to be. It is also irresponsible to take a criminal convicted under our system and to dump that person on another country. How would we feel if we were on the receiving end of such an action?

Oh, we do know how it feels, because in 2006, a New York State court sent a convicted sex offender to serve three years' probation in Windsor, Ontario, in lieu of a one-year sentence in a New York jail. Prime Minister Stephen Harper said at the time, "We are frustrated. Like all Canadians, we are not happy about this problem being sent to us." Why then, honourable colleagues, would we send our problems to others, especially to those nations without the institutional capacity or the will to imprison such terrorists?

Much has been made of the fact that other countries allow for revocation of citizenship of dual nationals. Not as many, by the way, as Senator Lang or Senator Runciman or Senator Smith would have us believe. And, as Senator Omidvar has pointed out, the list does not include the United States.

It is true that since President Trump came to power, the U.S. government has taken a much more aggressive stance towards revocation of the citizenship of naturalized Americans, but is that a model that we want to follow? Only last week, at a Supreme Court hearing on a citizenship revocation case, the U.S. Chief Justice John Roberts, a conservative, commented disapprovingly that if the administration had its way, "the government will have the opportunity to denaturalize anyone they want."

Other countries may lack confidence in their institutions, or they may hold the view that punting a terrorist to another jurisdiction is a wise national security move, but we should not follow suit. Let us instead be the example of a better way so that

their chambers of sober second thought can cite the Canadian Senate as a place where reason and self-esteem prevailed, rather than blind instinct.

Senates, after all, have a long history when it comes to acts of banishment. The most famous case of forcing exile on a criminal was in the 1st century BC, when Roman senators banished a certain fellow called Julius Caesar from the city-state because he conspired with Marius to overthrow the rule of Sulla. J.C., as many of you know from your history lessons, went on to an illustrious military career, recording conquests across the continent. But in 51 BC, jealous and fearful of his growing power, the Roman senate revoked — I stress "revoked" — Julius Caesar's status as the governor of Gaul, which precipitated his conquering return to Rome in 49 BC. He famously "crossed the Rubicon" as part of his advance on Rome, a term which has now come to refer to an act of no turning back.

Colleagues, we are at the Rubicon in the way we understand citizenship and how we can cherish and protect it in the context of equality rights and in the interest of national security. I, for one, am not crossing the Rubicon of Senator Lang's amendment on Bill C-6. I hope you will join me by staying on this side of the river.

The Hon. the Speaker *pro tempore***:** Will you accept a question?

Senator Woo: Yes, of course. I am happy to.

Hon. Kelvin Kenneth Ogilvie: There was much in your speech that I find quite remarkable, but I would like to ask you a question of clarification of fact. Did I hear you correctly attribute to Senator Stewart Olsen that she stated something to the effect that we would keep these people in prison here until they were rehabilitated and then we would send them back? Did I hear you say something along that line?

Senator Woo: I was commenting on the issue of when a convicted terrorist might be allowed to be deported to the other country, and the general line coming from Senator Lang and others who support the amendment is that we would only send them back when they are safe. I believe that's directly from Senator Lang's speech. I believe Senator Stewart Olsen may have echoed that. If I got it wrong, I apologize.

My point is simply this: If we have deemed them to be safe, why do we need to deport them?

The Hon. the Speaker *pro tempore***:** Senator, are you requesting more time to answer questions?

Senator Woo: Yes, if there's a question.

The Hon. the Speaker *pro tempore***:** Senator Ogilvie.

Senator Ogilvie: Senator, I wasn't asking you at all about what you interpreted. You attributed directly a statement to Senator Stewart Olsen that is contrary to anything that I heard her say in her speech, and that was why I raised the question. Do you have anything further to add?

Senator Woo: It would seem to me that you would like to tell me what, in fact, she did say, so I would suggest that you do that, because I cannot remember exactly what she said. I have given you my interpretation and how I wove it into my speech.

Hon. Murray Sinclair: Honourable senators, I would like to extend my personal welcome back, senator. Thank you very much.

I want to add my comments to the many I have heard here today about the amendment that has been proposed by Senator Lang and begin by asking this question: Who in this chamber would even dare to speak out against the punishment of terrorists? I don't think there's anybody here who wants to speak out against punishing terrorists. In fact, the purpose of many of the provisions that have been enacted through the course of the years recently — particularly since 9/11 — that have been approved by this chamber, have been about dealing with the issue of terrorism.

I want to point out that, in fact, for many years, I was of the view that we didn't have adequate terrorism laws in Canada going back to the time of Confederation, because if we had had appropriate terrorism laws back to the time of Confederation, we might have been able to do something about some of the acts of terrorism that the Government of Canada inflicted upon indigenous peoples over the period of time since 1867.

When one looks at the current definition of terrorism, in fact, it talks about the fact that any act perpetrated for a political or ideological purpose against a segment of the public from participating in an act that is otherwise available to all members of the public or for fearing for its security would be sufficient to be convicted of an act of terrorism.

I just want to point out that our Criminal Code is actually pretty loose when it comes to defining what terrorism activity is all about, and it has often been said in legal circles that one man's terrorism is another man's act of war. We need to keep in mind that in this chamber, we should be very careful when it comes to talking about not just what is included in the act but also about what the consequences of that will be.

I want to reiterate the point: Who would dare to stand up against punishing terrorists? I'm not here to try to do that. In fact, I believe strongly that we should be doing what we can to protect this country.

Senator Smith and Senator Runciman talked about our important obligation to protect this country from violence, but keep in mind that acts of terrorism do not include only those acts that are committed against Canada. Acts of terrorism also include acts that are committed against anybody else anywhere in the world by somebody who is a citizen of Canada, a permanent resident of Canada, or who is in Canada and plans to do something elsewhere in the world. That also is defined as an act of terrorism, so we are also dealing with, again, a very broad definition of a very significant word.

• (1720)

I'm not here to speak on behalf of terrorists. I'm not here to speak on behalf of terrorism. I have heard the submissions that have been made from senators opposite about the fact that we have an obligation to protect this country, and I watched many of you embrace yourself in our flag, but the reality is that this is a flawed amendment. This is not going to make us safer.

Senator Plett: It's a flawed bill.

Senator Sinclair: The statistics don't bear that out. The studies that have been done with regard to the impact it's going to have upon those who commit acts of terrorism, whether in this country or from this country or by people who are naturalized citizens of this country, will have literally no effect upon our safety either one way or the other. It's because the numbers are not only low but also that the individuals who will be missed by legislation such as this are those in fact who are the citizens of this country. Terrorists who are natural-born Canadian citizens are not caught by this amendment. Keep in mind that some of the most heinous and recent acts of terrorism in this country have been committed by natural-born Canadians. We will not be protected from them.

I listened carefully to what Senator White said about the huge costs that will be attributed to continuing to monitor terrorists if they stay in our country, and that's true and I accept it. He knows the numbers, but the reality is that deporting those very few people who are dual nationals and who will be affected by this particular amendment will not result in any significant cost saving because the numbers are so low.

I contribute to the conversation by pointing out that in my opinion this is a flawed amendment. It will not do what the honourable senator is saying it will do. It targets a very small number of Canadian citizens who commit acts of terrorism. It does the same thing that Bill C-24 — which was introduced in Parliament years ago and is now being challenged before the courts for being unconstitutional — attempted to do, and it is as likely to be overruled by virtue of being in breach of the Charter as those provisions are likely to be overturned.

I want to also point out that the proposed amendment suggests that the issue of removing citizenship is something that should be left in the hands of sentencing judges. I have been a sentencing judge for 28 years, and I can tell you that the last thing in the world judges want to do is get into another hearing as part of their sentencing to determine whether or not, in addition to the time in prison that you should impose on somebody, you should also impose a decision to remove their citizenship or remove any right from them. In fact, specific protections in the criminal law say that before somebody can be subjected to additional punishment over and above what another person would be subjected to, notice of the Crown's intention to seek that greater punishment has to be served upon the accused, and the court has to be made aware of that at the time of sentencing.

So I can see easily where a sentencing judge would avoid having to get into all of that by sentencing somebody to a period of time less than the threshold that has been suggested by this amendment of five years, because it avoids having to get into the whole question of whether or not that situation will have to come up before them.

Someone mentioned the fact that there are many instances of dual nationals who have had their nationality from another country imposed upon them by that other country. In other words, they are a dual citizen not because of any choice on their part.

It reminded me of one of the times we were doing hearings for the Truth and Reconciliation Commission where a survivor of an Indian residential school came before us, as commissioners, and pointed out that he had been abused by a Catholic priest in one of the schools, and he wanted us to help him to become excommunicated by the church. He had gone to the church and had said, "I don't want to be a Catholic anymore," and he had been told, "Once a Catholic, you're always a Catholic and you have no choice in the matter." He wanted us at the commission to help him become excommunicated. There are only certain ways by which one can become excommunicated.

We did manage on his behalf to convince an archbishop to send him a letter and say that if he wished, he could go join another church, but that would mean he would be a dual Christian. He was actually quite happy with that because he wanted to be able to say that he was no longer a Catholic.

When we are talking about the differential impact of legislation upon citizens or people within our country, this chamber has to be very conscious of the fact that differential treatment, prima facie, is going to run up against our Charter. We have to be concerned about that. In this case, I have no doubt in saying that this treats Canadian citizens, particularly those who have been naturalized through the citizenship process, differently because we are now facing a situation of only those citizens who are dual nationals, who have two citizenships, being affected by this legislation. Those citizens who are not in fact dual citizens, who go through the naturalization process and don't retain or are not forced to retain another citizenship, will not be affected by this legislation. That clearly is differential treatment and clearly will be unable to withstand a Charter challenge, in my view. I think it's in the submissions that we have seen that came before the committee, and it's one of the issues that we have to keep in mind.

I want to be clear that I am not standing here trying to pretend that terrorists are people we should be trying to protect or whose rights we should try to protect. That's not the situation at all. It is the Charter that we need to protect, and the Charter says that we cannot enact laws that are in breach of the Charter. I am convinced that this is one of those laws, so I speak against the amendment.

The Hon. the Speaker *pro tempore***:** Senator Sinclair, will you accept a question?

Senator Sinclair: Absolutely, if they'll take my answer.

Hon. Lillian Eva Dyck: Thank you for your speech, Senator Sinclair. This question has been brewing in my mind throughout the discussion, and I finally got a chance to stand up and ask it.

When people talk about terrorism, typically what they're talking about is the most extreme form, and in some of the prior speeches we were told that the sentence was life imprisonment.

Within the Criminal Code, is there a range of terrorism offences? Is there a range of remedies for that or punishment? What are the consequences?

With those terrorist events that we all abhor, is not the consequence life imprisonment, and would you not think that having someone in prison for life would be better than deporting them somewhere else where we have no control over them or we don't know where they are or what they are doing?

Senator Sinclair: Thank you for that question. You're inviting a lawyer and a judge to dive into the Criminal Code of this country and read you the provisions that talk about this. I'm not going to do that.

Various provisions allow for differential sentences or different sentences for different offences depending upon one's level of participation. There is a principle of sentencing that one also has to keep in mind, and that is that as much as possible, the sentencing judge has to treat all of the accused who are involved in the same activity in the same way or in the same range of sentencing. You can't be harsher on one of them unless there's a reason to be harsher on one of them. So if they are all equally involved, they get an equal sentence. If one of them happens not to be a dual citizen and one from whom you can take the citizenship away, I can see a judge declining simply to honour the fairness of sentencing principle.

• (1730)

But, yes, you are quite right that the range of sentencing for the various offences that are available for acts of terrorism range from whatever one does in furtherance of an act of terrorism — it can be as simple as driving somebody to a site — all the way to actually exploding a device that kills people. The sentencing range would be quite wide in that circumstance.

Senator Dyck: I have a supplementary question.

With the amendment that is before us, would it then cover the offences that are relatively less harmful as opposed to the ones that are much more severe, where the person has actually done something that has resulted in the death of other people?

Senator Sinclair: Thank you again for the question. As I read the amendment, it is limited to those situations where people are sentenced to five years or more. Normally that particular kind of sentence comes from those offences to which a person is entitled to a trial by jury, and so, as a result, it is one of the more serious offences that one faces in the Criminal Code.

Hon. Larry W. Campbell: Honourable senators, I rise to speak to Senator Lang's amendment to Bill C-6. I will be brief.

Two weeks ago, I was prepared to vote "yes" on this amendment. Two weeks ago, I had just returned from Vimy. My thoughts were with the dead and what they fought for: democracy, freedom and equality. My first thought was that there was no place for a dual citizen in Canada if convicted of a terrorist act.

Over the ensuing period of time that we had off, I read everything I could with regard to this issue. I thought back to the mentality, the "them" or "us" that we saw during our two world wars, the Japanese-Canadians, Italian-Canadians, Ukrainian-Canadians — the list goes on and on — who were considered to be a different class to other Canadians and were imprisoned simply by who they were and where their parents or grandparents were born. That was wrong then, and it's wrong now. Democracy, freedom and equality mean no differentiation between Canadian citizens. All must be treated equally under law.

For these reasons, I will be voting against the amendment and will support Bill C-6.

Hon. Lynn Beyak: Honourable senators, I rise to support Senator Lang's carefully crafted amendment to Bill C-6 for all the reasons stated by Senator Runciman and plus some of my own.

I do so to ensure Canada retains the power to revoke citizenship from those dual nationals who have been convicted under section 2 of the Criminal Code related to terrorism and under the National Defence Act.

Canada is a generous country. We welcome over 500,000 people every year as immigrants, approximately 260,000 as citizens, 30,000 refugees, over 150,000 temporary foreign workers and over 100,000 foreign students. We are a welcoming and generous country. However, we must not allow Canada to be taken advantage of or our generosity to be insulted.

This amendment is for Canada. It is an opportunity for us all to defend Canada. Some argue that dual nationals are Canadians and should not be singled out from natural born Canadians when it comes to having their Canadian citizenship revoked.

This argument is flawed, as dual nationals, for the most part, choose to retain two citizenships. They also choose to participate in terrorism and cause significant harm to Canada, their adopted country. The idea that these individuals are being treated differently for some arbitrary reason is false.

This amendment, as proposed by Senator Lang, allows for evidence-based decision-making where the sentencing judge who has heard the evidence will make a decision. If dual nationals do not wish to be singled out for having their Canadian citizenship revoked, perhaps they should not engage in terrorist actions which could destabilize our country.

Some will also argue that dual nationals, if their citizenship would be revoked, would pose a threat when sent to other countries of residence.

Colleagues, there has been no evidence tabled to give credit to this argument. The United Kingdom has already revoked 27 dual national citizenships since 2006. I have not seen evidence that any of these individuals are a continued threat to the U.K. I would urge those who make this argument to present us with evidence, not opinions.

I would also ask them to present evidence on what happens with the 222 individuals whose citizenships were revoked by this

current government between November 2015 and November 2016.

Honourable senators, today CSIS is tracking 218 counterterrorist threats. This includes 54 who are dual nationals and 17 who are permanent residents. This is in addition to the 180 Canadians identified to be abroad and actively engaged in terrorism. It is also in addition to the 60 who are back on our streets.

We already know it takes 25 to 30 officers to monitor one radical jihadist 24 hours a day, seven days a week. This is a significant burden to our taxpayers.

Dual national terrorists who seek to destabilize our country do not deserve to maintain their citizenship, and they certainly do not deserve to be eligible for our generous social assistance, the Canada Pension Plan and Old Age Security. Convicted terrorists are the vilest people of all citizens. With this amendment, a sentencing judge will be able to take that Canadian citizenship back.

I would ask our colleagues who are part of the Independent Senators Group to stand up for Canada and to support Senator Lang's common-sense amendment. You were appointed on the recommendation of the current Prime Minister, but we all have a duty to Canada, and in working with you I have found many shared beliefs on my issues.

If we as senators do not stand up for Canada in the face of a growing terrorist threat, then who will?

Senator Smith already echoed Senator Lang's words. Yes, a Canadian is a Canadian is a Canadian, but a terrorist is a terrorist is a terrorist. Whose side do we really want to stand on? I know whose side I'm on.

Thank you very much, colleagues.

Hon. Frances Lankin: I appreciate the opportunity to join in this debate. I want to begin by saying for the most part my appreciation for the respectful contributions that have been made. This is one of those issues where you actually can disagree on the method and the procedures but agree that we have an intent interest in protecting Canadian values and supporting and protecting our way of life.

I had the opportunity on the Defence Committee to speak with Senator Lang around a number of issues. I have a particular interest in issues of security from the time that I spent as a member of the Security Intelligence Review Committee. I think I recounted to you that the first full briefing that I had with the service, with CSIS, I came away from that thinking that I will never sleep again.

What we as Canadians don't know is a cherished part of our life in this country because we are not subjected to, and it's not in our face every day, the kind of terrorism that other places in the world have experienced first-hand much more often than we have. I cherish that about our country.

I had the opportunity in the Ontario legislature to work with Senator Runciman. While I come to a different point of view at the end of the day on this, I agree with much of what he said when he talked about protection of Canadian values.

I came in at the tail end of the last speaker. I actually find it quite offensive to point to a group of people and ask if you are prepared to stand up for Canada and to suggest that the only answer of standing up for Canada is the one approach. I think there are reasonable and differing opinions on this. I think that respectful debate needs to make room for that.

Let me say, Senator Lang, I understand completely the perspective that led you to put forward this amendment. I am in admiration of your commitment to our country and your leadership at our committee and the work that you do. I respectfully disagree with you on this amendment, and I want to go through a couple of the reasons why.

• (1740)

Others have spoken to the issue of the Constitution and the Charter. All I want to say is that the most fundamental role that we have as set out in the Supreme Court decision is review within a set of parameters, and the first parameter is the Constitution and the Charter. Historically, the constitutional considerations for this chamber were the division of powers, federal and provincial. The Charter brings about a whole new approach.

I've read the legal opinions that suggest that this amendment is not Charter-compliant. I appreciated the email where you set out your reasons, which you sent to all of us, and the fact that you had consulted to determine that it was not in violation of the Charter. I think you referenced speaking to the legal office here in the Senate. I was concerned that that would be the opinion that was offered, and what I heard in pursuing a bit further is the opinion offered was that this doesn't raise new constitutional and Charter issues and that in fact there was already a complaint brought forward under Bill C-24 about the differential treatment of Canadian citizens dependent on their dual status or not.

I want to say that I think the question that Senator Omidvar asked Senator Smith is a very important one. I think that this chamber, in our responsibility, it is wrong for us to pass an amendment when there is a profound body of opinion that is in fact in violation of the Charter. That's the first thing I would say.

Second, I want to talk briefly about the issue that Senator Eggleton raised on the principle of the bill. The very first principle of the bill that was set out by the minister is one that ensures doing away with differential treatment of Canadian citizens. I failed on a point of order last week on this particular issue. I'm going to understand the latitude given in the Senate for debate and decision as opposed to the more tactical approach of rules. I do find it odd to have a situation where an amendment is diametrically opposed to the stated principle of the bill, and that's perhaps in order, but we will deal with this through debate, which is the way of this chamber, and through vote, which is how we will express our views on it.

I want to speak briefly about the issue of security and whether, by not passing this amendment, if that's what happens, we are

somehow leaving our country less secure and less open to terrorism.

People have already referred to terrorists coming in all forms, in all nationalities, Canadian-born, U.S.-born, born somewhere else. I find it distasteful that an approach might suggest that someone is more likely to be a terrorist if they have dual citizenship and to focus on that. If we're not focusing on that from the point of view of protection of the country, if we're going to treat them through the criminal justice system, as the question that was asked of Senator Smith and the answer to it, full punishment and full protection of our way of life and our justice system treatment of everyone equally, then we are simply placing another penalty on top of the penalty served through the justice system. To me, that is such a clear violation of the Charter of Rights and the equality of rights of Canadians.

I am of the view that the people — which Senator Lang referred to in one of his questions — we don't want to send back into community by and large are people who come from these various communities, wherever they are and whatever nationality and/or Canadian background they are. More and more, we see the growth of radicalization of youth, and that radicalization can take place in a number of locations, but there's a huge issue where youth are being radicalized in their basements on computers. This is a world problem. We don't have, as of now, viable ways of intervening. That's why it's so important that CSIS has begun a much more thorough approach of engaging with communities and in helping parents recognize signs of radicalization and helping to engage communities to be part of helping us provide the right supports to disengaged youth. Disengaged youth can come in every shape, size, colour and nationality. It is something that we have seen, again, around the world and through the advent of a different way of people organizing their lives with communications through technology. So I do not see this as a preventative measure in any way that will have an impact; I see it only as an additional penalty.

I think that one of the biggest concerns I have, however, is how we look at what the threat of terrorism is all about. Of course, there are acts of terrorism that we have seen around the world, some of which have not been named terrorism here, but like the attack on the mosque in Montreal, which is being proceeded with under Criminal Code provisions. There are acts of terrorism that are horrific and heinous. You've used so many adjectives, and I agree with you in all of those adjectives.

One of the goals of terrorism is to destabilize the way of life that other countries and people embrace and enjoy. I am not prepared to give up our way of life and our values to the threat of terrorism. Our values, as Canadians, believe in an immigration system and a citizenship system that embraces people from around the world. We do the due diligence up front. If something goes wrong, we have mechanisms to deal with that in the way in which revocation can take place if there has been fraud or misrepresentation committed.

But once a Canadian, we embrace in this country the value of equality. We are one of the few countries that have this Charter of Rights enshrined in a way that makes us the envy of many countries. We have developed an approach of tolerance, acceptance and welcome, and I will not support allowing terrorism to undermine that. I know that is not the intent of this amendment, but I know it is a practical result of it. I am sorry that that's my opinion and assessment of it, but I value that Canadian citizenship is to be cherished, to be held dear and to be granted to people on a basis of equality of citizenship, and for that reason, with all respect — and I truly mean that — I will be voting against this amendment, Senator Lang.

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

Hon. Senators: Question.

The Hon. the Speaker *pro tempore***:** In amendment, it was moved by the Honourable Senator Lang, seconded by the Honourable Senator Martin, that Bill C-6 as amended be not now read a third time, but that it be further amended — shall I dispense?

Hon. Senators: Dispense.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker *pro tempore***:** Those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore***:** Those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker *pro tempore***:** In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker *pro tempore***:** I see two people standing. Have the Government Liaison and the Opposition Whip come to some agreement?

Senator Mitchell: 45 minutes.

The Hon. the Speaker *pro tempore***:** Senators, we will see you back here at 6:35. Call in the senators.

• (1830)

Motion in amendment negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Batters	Marshall
Beyak	Martin
Boisvenu	McInnis
Carignan	McIntyre
Cools	Ngo
Dagenais	Ogilvie
Doyle	Plett
Eaton	Runciman
Enverga	Seidman
Greene	Smith
Housakos	Tkachuk
Lang	Unger
Maltais	Wells
Manning	White—28

NAYS
THE HONOURABLE SENATORS

Bellemare	Joyal
Bernard	Lankin
Boniface	Lovelace Nicholas
Bovey	Marwah
Campbell	McCoy
Christmas	McPhedran
Cordy	Mégie
Cormier	Mercer
Dawson	Mitchell
Day	Moncion
Dean	Munson
Downe	Omidvar
Dupuis	Pate
Dyck	Petitclerc
Eggleton	Pratte
Forest	Ringuette
Fraser	Saint-Germain
Gagné	Sinclair
Gold	Tardif
Harder	Watt
Hartling	Wetston
Jaffer	Woo—44

ABSTENTIONS
THE HONOURABLE SENATORS

Ataullahjan	Stewart Olsen
Oh	Tannas—4

The Hon. the Speaker: Resuming debate on the main motion, third reading of the bill, as amended.

(On motion of Senator Martin, debate adjourned.)

:

• (1840)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, it now being after six o'clock, unless we agree not to see the clock, I will leave the chair until 8 p.m. and the sitting will resume. Is it pleasure not to see the clock, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Agreed.

CONTROLLED DRUGS AND SUBSTANCES BILL

BILL TO AMEND—FOURTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

The Senate proceeded to consideration of the fourteenth report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill C-37, An Act to amend the Controlled Drugs and Substances Act and to make related amendments to other Acts, with amendments), presented in the Senate on April 13, 2017.

Hon. Bob Runciman moved the adoption of the report.

He said: Honourable senators, this bill comes back from committee with three amendments.

Bill C-37 amends the Controlled Drugs and Substances Act, the Criminal Code, the Customs Act, the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Seized Property Management Act. Most of the bill deals with the Controlled Drugs and Substances Act, and it has two primary objectives.

The first objective is to deal with the trafficking, importation and manufacture of controlled substances. These measures are intended to provide authorities with the tools to deal effectively with the current overdose crisis that is resulting in the deaths of hundreds of Canadians. For example, it will be much more difficult to import products such as pill presses that are used to manufacture illegal drugs.

The minister will be able to temporarily list products under the act if she has reasonable grounds to believe they pose a significant risk to public health.

Canada Border Services Agency officers will now have the power to open letter mail — mail of less than 30 grams — without asking permission of the sender or recipient.

I'm sure the sponsor and the critic of the bill will describe its contents in more detail. I will take this time to deal with the amendments that were passed in committee.

All three of the amendments deal with the second objective of the bill, Mr. Speaker, which is to make it easier to establish

supervised consumption sites, such as the InSite clinic in Vancouver's downtown eastside.

Bill C-37 repeals most of the criteria introduced by the previous government requiring consultation with affected communities in the establishment of a supervised consumption site. The three amendments passed at committee are all to clause 42 of the bill.

The first would change line 31 on page 44 to change the words "not to exceed" with the words "not less than 45 days or more than."

As the bill is currently written, it provides for a maximum period of 90 days for public comment on an application for a supervised consumption site, but there was no minimum period. It could end up being one day or two hours, so the amendment would provide a consultation period with a minimum of 45 days and retain the maximum of 90 days.

The second amendment adds a new subsection, 56.2, to the act, immediately after line 36 on page 44. This section gives the minister the power to "establish, for each supervised consumption site, a citizen advisory committee charged with advising those in charge of the site on matters relating to its operation and public concern about the presence of the site in their community, including with respect to public health and safety."

Further language, this committee shall consist of "5 to 10 volunteers who live in the immediate vicinity of the site" and it "shall provide the minister with a written report on its activities each year."

This amendment, honourable senators, is self-explanatory. The argument put forth at committee was that it's important for these facilities to have community buy-in, and the advisory committee would be one way to ensure that will happen.

The third amendment, which immediately follows the last amendment, adds a new subsection 56.3. It says:

> (1) a person who is responsible for the direct supervision, at a supervised consumption site, of the consumption of controlled substances, shall offer a person using the site alternative pharmaceutical therapy before that person consumes a controlled substance that is obtained in a manner not authorized under this act.
>
> (2) the failure to offer alternative pharmaceutical therapy in subsection (1) does not constitute an offence under this Act or any other Act of Parliament.

Senator White, who moved this amendment, can explain it much better than I can, but in brief it is in keeping with a considerable amount of evidence heard at the committee.

• (1850)

First, the users of a supervised consumption site are bringing illicit drugs into the facility, drugs that they've acquired in an illegal transaction on the street, and they may well have committed a crime themselves to get the money to buy the product.

Second, these facilities are supervised, but we should be under no illusions about the safety of the product being consumed. These are illegal drugs or, as Senator White referred to them at committee, poison. The buyers don't know what's in them, the staff at the consumption site don't know, and it may be that the sellers don't know either.

The amendment is modelled on the approach being taken in Switzerland, and we heard quite a bit of testimony about that, where they provide a substitute pharmaceutical to addicts. Staff at the clinic and the user will know what is in the product, which is a lot more than can be said for the drugs being brought in off the street.

The intent of this amendment is to reduce street crime by discouraging the sale of illicit drugs and to reduce the risks of overdose and adverse reaction from taking a mystery product found on the street.

Honourable senators, these are the amendments to Bill C-37 that were passed by the committee.

MOTION IN AMENDMENT

Hon. Vernon White: Honourable senators, I would like to introduce an amendment to the report of Bill C-37. The amendment is a minor change that recommends a correction in the French version to address the uniformity in the use of the phrase "*substances désignée,*" which is the equivalent of "controlled substances" in English. Therefore, I move:

> That the Fourteenth Report of the Standing Senate Committee on Legal and Constitutional Affairs be not now adopted, but that it be amended, in amendment No. 1 by replacing, in the French version of paragraph 1(*b*), the word "illicites" with the word "désignées".

The Hon. the Speaker: On debate.

Senator White, do you wish to address the amendment?

Senator White: Thank you very much, Your Honour. This amendment makes a minor correction that was found after the report was completed so that the correct wording in French is available.

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

An Hon. Senator: Question.

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

Hon. Senators: Agreed.

(Motion in amendment agreed to.)

The Hon. the Speaker: Resuming debate on the report, as amended.

[*Translation*]

Hon. Jean-Guy Dagenais: Honourable senators, as a member of the Standing Senate Committee on Legal and Constitutional Affairs, I would like to add a few things about the report that Senator Runciman has just tabled concerning Bill C-37.

First, it is important that senators know how important this bill is in the present circumstances. We in Canada are in the middle of a crisis involving the manufacture and sale of fentanyl and it is important that we fix the legislation quickly so we are better able to combat this scourge. We have to act in the hope of stopping the circulation of this lethal drug.

Bill C-37 is certainly not perfect, but it gives police services and border agents new powers to intervene. It has become urgent that we enable them to take effective action to halt the production of this drug at the source, and halt the production of any future products that may be determined to be hazardous to the health of Canadians.

The senators on the committee have made amendments to the initial bill in order to make it more effective. The government's intention needed strengthening, based on our own experiences, and I think we have done a good job. Later this week, we will be discussing those changes in this chamber.

Bill C-37 also deals with the terms on which supervised injection sites may be set up. There again, the committee has approved amendments. Those improvements to C-37 have two objectives. The first is to ensure that the bill contains provisions so that the people who use those sites also receive medical treatment; that way, we will ensure that they do not choose to use drugs without trying to get to the root of their problem.

The second objective is very straightforward. It ensures that the law shows greater respect for Canadians and their communities in the review process and in the granting of licences for supervised injection sites. It is a question of consultation, which is a normal step before any decisions as important as these are made. Let's be honest: no one here would like to see this kind of facility open up right next to their home without having some say in the process.

We will be voting on Bill C-37 soon. I sincerely hope that all senators, regardless of their political leanings in this chamber, will be able to work, first and foremost, for the health and safety of the citizens of this country, so that we can adopt the committee report quickly, which proposes amending the bill. Thank you, Mr. Speaker.

[*English*]

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

An Hon. Senator: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Runciman, seconded by the Honourable Senator Greene, that the report, as amended, be adopted.

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

Hon. Senators: Agreed.

(On motion of Senator Runciman, report adopted.)

The Hon. the Speaker: When shall this bill, as amended, be read the third time?

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

[*Translation*]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Jaffer, seconded by the Honourable Senator Cordy,
>
> That the following Address be presented to His Excellency the Governor General of Canada:
>
> To His Excellency the Right Honourable David Johnston, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.
>
> MAY IT PLEASE YOUR EXCELLENCY:
>
> We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

Hon. Raymonde Saint-Germain: Honourable senators, it is with modesty and an acute awareness of the time that I rise to give my inaugural speech. Modesty is all the more necessary because this chamber does not lack for eloquent speakers on either side.

Today marks the beginning of my eleventh week as a senator. I have spent 11 weeks observing you and listening to you to better understand and to learn. Over these 11 weeks, I have also admired your motivation and commitment to properly fulfilling your responsibilities as senators. I have often told myself that, if people knew more about our work, the Senate would have a lot more credibility and Canadians would have a lot more confidence in our institution.

This upper chamber is an excellent reflection of Canada's diversity, whether because of our places of residence, our cultural origins and affiliations, our mother tongues, our gender, our job

training, or our credentials. These are all assets that strengthen our ability to know, understand, and champion the needs of our fellow Canadians.

> Canada succeeds in large part because here, diverse perspectives and opinions are celebrated, not silenced.
>
> The same holds true in Parliament.
>
> All members of Parliament are honoured, respected, and heard, regardless of their political affiliation, because, here in these chambers, the voices of all Canadians are important.

[*English*]

Honourable senators, this excerpt from the December 2015 Throne Speech illustrates precisely why I chose to serve as an unelected parliamentarian. The passage highlights the common thread that drives and connects us all. Different though we may all be, we are all champions of democracy and the rights of our fellow citizens. That is what makes each and every one of us a senator through and through.

Our responsibility as senators is central to democracy. In Canada's bicameral parliamentary system, our role complements that of the elected members of the House of Commons. We must demonstrate considerable rigour, judgment and knowledge in fulfilling that role if we are to serve as a useful, effective and credible check and balance within our democratic system. In delivering sober second thought, we take an objective and careful second look at proposed legislation, further safeguarding the rights of our fellow Canadians.

The importance of our duty cannot be underestimated. We must neither rubber-stamp legislation passed in the other chamber, nor must we systematically echo the concerns expressed in the other place, as it is called here. Thus, we help to ensure the democratic balance of power for Canadians, especially those who are vulnerable, live in isolated communities, suffer from discrimination or are otherwise disadvantaged.

• (1900)

[*Translation*]

That is what motivates me when it comes to this responsibility, not to say mission, in spite of the vicissitudes of the weekly trips between Quebec City and Ottawa. That said, I know that my troubles in that regard pale in comparison with my colleagues who travel from Whitehorse, Vancouver, Thunder Bay, North Bay, St. John's, or Caraquet, and let us not forget Rimouski in Quebec. That is what motivates me to come back to Ottawa every week with enthusiasm, in spite of the frantic pace of the work, unconducive as it is to obeying Canada's food guide, and, most importantly, in spite of the distance it takes me from Pierre, my spouse of 43 years, and my sons Pierre-Guillaume and Louis-Thomas, which is a prime consideration for me. In spite of all these troubles, I enjoy doing my job as a senator and I am completely committed to it.

I do not feel that I am in unknown territory here or even that I am a complete stranger to the work of a senator. In fact, I encounter issues here that I have had to examine, and challenges I have had to meet, in my former positions, both in public governance and as ombudsperson. I have contributed to developing legislation and regulations, and administering them. I have directed the preparation and implementation of public policies. I have conducted investigations into how legislation and regulations are applied, and made recommendations to improve services to the public. I have also been able to assess the importance of laws and the way they are applied in people's everyday lives.

While I have generally found public employees to be competent and dedicated, I have too often had to resist their strict interpretation of the law, and sometimes even to oppose their convenient and undue attachment to the letter of the law, disregarding its spirit and the intention of legislators.

[*English*]

My 40 years in public service have conditioned me to read a proposed statute or policy with a view to, first and foremost, determining the predictable impact it would have if it were approved in its current form.

The first thing I consider when I read a piece of legislation is how it would impact the people. Are the obligations and restrictions being imposed on them reasonable when weighed against the resulting individual or collective benefits?

The second thing I consider is how the bill's implementation would impact people's rights. Is the authority granted to the public servants entrusted with enforcing the legislation appropriate? Could it lead to abuse and infringement of people's rights? Is the cost of implementing the legislation excessive as far as taxpayers and the public purse are concerned?

It is also important that, in our review, we identify ways to lessen the potential burden of the legislation, whenever necessary, by ensuring that it adds value and complements the existing body of federal and provincial law. From that standpoint, it is important to carefully consider whether or not the anticipated implementation costs are reasonable. It is our responsibility to stand up for the public interest against any and all legislation that may have been brought forward in haste by subjecting it to rigorous scrutiny before it becomes law.

[*Translation*]

As unelected parliamentarians, we surely wield a certain amount of power, but so are we given certain duties. The wise words of Alfred Auguste Pilavoine are as meaningful today as they were nearly two centuries ago:

> If people knew the enormity of power, the huge responsibility that it carries with it and the unfortunate inclination that leads them to abuse it, they would be much more afraid of having to exercise it than they are eager to acquire it.

Honourable senators, we all know that our position gives us powers that we must use wisely, and only for the purpose of carrying out our responsibilities. In order to perform my duty as a

senator, I know that I must use those powers, in good conscience, only in the best interests of the country and my fellow Canadians.

Of course I have the independence and freedom of expression that is needed when I speak to bills and issues of governance. However, I will make every effort to use those privileges with respect for the institution of the Senate, and with due restraint when the situation calls for it.

Mr. Speaker, the committees and this chamber are where I will first voice my opinion, where I will state the reasons for my choices, and where I will contribute to our deliberations.

Also, while I have the freedom to advocate for causes that are especially dear to me, I hope that I will at all times be conciliatory and open to finding common ground with my colleagues whose vision differs from mine. The art of compromise may not be the most gratifying aspect of power, but it is nonetheless an essential one in a precinct founded on the principle of the diversity of viewpoints and opinions.

Honourable senators, the voices of all Canadians are important. We must be able to listen to their grievances and acknowledge their expectations of our institution. I am pleased to note that when confronted with situations in which our principles and values have been violated, the Senate has responded constructively and with the severity warranted, in particular today. Not only do we now have a code that governs senators' ethics and conflicts of interest that is as stringent as any, but also the Standing Committee on Ethics and Conflict of Interest for Senators, whose task it is to enforce that code, is able to act entirely objectively and independently. These are two significant steps forward.

Moreover, as must any institution that is serious about doing its job properly, the Senate engages, still to this day, in serious discussion of how to strengthen its governance and enhance its impact. A number of reports arising out of those discussions, and the recommendations they make, have already been approved by us. I am confident that we will be able to implement them, gradually, and that those recommendations will bring the anticipated improvements within a reasonable time.

In closing, honourable senators, I will say that, now more than ever, the country is watching us. Now more than ever, we must earn its trust, but that is not all. In these times of resurgent intolerance or what is sometimes extreme nationalism, we must prove to the world, and particularly to all those who reject the differences between individuals or who are working to erect barriers between peoples rather than to break them down, that the diversity I described a few minutes ago is a strength, not a weakness, in any society that aspires to the welfare of all its members. These are, in my humble opinion, the magnificent challenges that we will meet together.

Hon. Senators: Hear, hear!

Hon. Lucie Moncion: Honourable senators, I would first like to say how honoured I am to be part of the Senate of Canada and to work with each and every one of you. I am quite simply impressed with the résumés of my new colleagues, with the diversity of the careers of the people who compose the upper chamber, and with the motivation that we all have to contribute to improving the lives of all Canadians.

Taking my inspiration from the Throne Speech, I address you in this chamber to tell you about some things that, in my opinion, can help to build a better world and to improve the lives of everyone in our great and beautiful country.

I am originally from Ottawa, where I lived until 1996, the year I left the national capital region to settle in Sudbury, in northern Ontario, with my family. Then, in 2002, we moved to North Bay, the city where we still live today.

I studied administration at the University of Ottawa, and I studied at Laurentian University in Sudbury where my specialization was co-op administration. I did my MBA at the Université de Moncton, and studied business administration at Laval and McMaster. You might say that I have done the rounds of Canadian universities.

• (1910)

My professional career spans more than 38 years. Last Friday, I finished my career in the cooperative financial sector. I left my position as president and chief executive officer of the Alliance des caisses populaires de l'Ontario, after holding that position for 16 years. Since last October, when I was appointed to the Senate last October, I have worked on the transition of my position, and that explains why I had not yet spoken in this chamber.

The Alliance des caisses populaires is a federation, a network of cooperative financial institutions that provides services in 25 francophone communities in northeastern Ontario. That network contributes to the economic and social growth of individuals and communities. Its economic model focuses on the four pillars of cooperation: people are put first and are central to decision-making, participation in the governance of their caisse populaire is crucial to its success, shareholders share equally in operating surpluses, and the financial assets accumulated collectively belong to the members of the group and not to a few wealthy investors.

My professional experience also includes the economic development of the cooperative sector at the provincial and national levels. Until last November, I was the chair of the board of directors of Cooperatives and Mutuals Canada, an organization with a national mandate that represents all federations of cooperatives and mutuals in the country. All of those organizations — the Canadian Credit Union Association, the Federated Coop, Agropur, the Coop Fédérée, the Mouvement Desjardins, Promutuel, the Canadian Housing Federation and The Cooperators — chose to join forces and present a common front in our dealings with the various levels of government.

I was also president of the Conseil de la Coopération de l'Ontario. As such I contributed to the development of the cooperative and social economy sector in the province.

I was very involved in the education sector, again at the level of governance, whether as vice-chair of Nipissing University's board of directors, on the board of directors at Collège Boréal, or as chair of the audit and governance committees of the TFO, an organization dedicated to French education in Ontario.

My years in the Franco-Ontarian financial sector gave me the opportunity to work with different governments, public institutions, the private sector, community and cooperative

movements, and the education sector. This experience made me aware of the different perspectives in the sector, which in turn shaped my approach to challenges and opportunities that present themselves. I believe that the approach to take for the well-being and development of a community requires everyone's support, involvement, and desire to contribute.

I cannot make my maiden speech in this chamber without talking about my passions. The work of a senator and the priorities of each and every one of us depend largely on our values, our vision of the world around us, and what moves us deeply. In my case, the thing that is closest to my heart and soul is the French language, its culture, its development, and its accessibility. I am also passionate about economic development through the cooperative business model, which I believe is the foundation for taking charge of people's well-being and the emergence of viable solutions for eliminating poverty, creating jobs, protecting the quality of life of those who are ill or living alone, and improving the quality of the environment, air, and water, and so forth.

The late Mauril Bélanger, member of the House of Commons, chose to be a staunch supporter of co-operatives. He devoted the last few years of his life to the cause of co-operatives in order to bring awareness and recognition to this business model. This French-Canadian gentleman from Mattawa was elected seven times in his riding and sat in the other place for more than 20 years.

We have known for a long time that working together leads to success. According to anthropologists, homo sapiens, our common ancestor, dominated all regions of the world and all other living beings thanks to his superior ability to socialize and help. He could slay the mammoth by teaming up with 50 hunters working together in unison. This made it possible for everyone to have food to eat.

Closer to our day, I believe that the vast inequality between rich and poor countries and the growing inequality between the rich and poor in the same country are the source of many conflicts in our world. These inequalities are becoming more prevalent and contribute, in some cases, to excessive profits, abuses, and the overconsumption of the world's resources. It seems to me that collaboration, assistance, and sharing are not vestiges of the past, but crucial elements that can help resolve the critical challenges facing today's society.

The co-operative model is a solution to the problems of inequality, whether they are financial, ideological, or political.

What does the co-operative movement bring to our communities? Let me give you a few statistics. It contributes $55 billion a year to Canada's economy. The rate of job growth in the co-operative movement is 8.6 per cent. Remittances in the form of dividends and gifts to individuals and communities are in excess of $500 million. This is a successful economic sector, which constantly innovates in order to find concrete solutions to individuals' and communities' problems and which benefits everyone involved.

Cooperative enterprises are present in all sectors of economic activity in Canada, from finance to housing, food, agriculture, insurance, labour, health care, and more.

These are a few examples of cooperative enterprises that you are undoubtedly familiar with, that perform a socially beneficial role and are accessible to very large numbers of people.

[*English*]

Mountain Equipment Co-op is probably one of the best kept secrets of the cooperative movement. Also known as MEC, these outdoor equipment store providers distinguish themselves by the cooperative values under which they operate, where leadership, sustainability and humanism are at the core of their business model.

On their website you can read:

> We understand the power of community and co-operative principles. We draw on the strength of people working together. . . . We seek to motivate other individuals and organizations to act for people and the planet. . . . We strive to build and operate our facilities with minimum ecological impact. . . . We work actively to ensure those who make our products are treated with respect.

In 2016, MEC's sales were at $366 million and $5.4 million in dividends were paid back to their members.

MEC stores are found in Canada's largest cities. Each and every one of these stores is built with eco-friendly material, using very little fossil energy sources and leaving a very small footprint on the environment.

[*Translation*]

Next, we have NorWest Co-op. This community health centre has had amazing success in terms of the number and quality of its programs. This cooperative is located in Winnipeg.

The services it offers to its community are as diverse as they are inclusive, and cover counselling on nutrition, health and well-being, complete catalogues of resources that support Aboriginal people, immigrants, pregnant women, and seniors, help with trauma, community integration, and many other services. This cooperative is cited as an example everywhere in Canada as the model to emulate when it comes to providing social services to the community.

[*English*]

The next one is for you, Your Honour. Now let me speak about the Fogo Process. This cooperative came to be because of the mobilization of the islanders. This excerpt from the book *Between The Rock and a Hard Place: The Destruction of Newfoundland's Outport Communities* is telling in the power of the cooperative model:

> In 1967, we had to make a life-altering decision on Fogo Island. Leave our beloved island home and resettle on the mainland of Newfoundland and Labrador. Or stay and find a way to make it on our own. We stayed. And we made it. To ensure our survival, we turned to what we knew best for

> hundreds of years — the sea. Following a process of community self-discovery now known worldwide as the Fogo Process, our fishers formed the Fogo Island Co-operative Society, a community based enterprise on which we built the economy of our Island. We built more boats. We built bigger boats. We took over processing facilities abandoned by private enterprise. We built more plants. We sought new markets. And the Fogo Island Co-op has now not only survived, it has succeeded.

• (1920)

Today, with sales of over $25 million, this cooperative provides employment for most of the fishing families living on the island.

[*Translation*]

In New Brunswick, the Open Sky Cooperative in Sackville provides assistance to those less fortunate. The farm has 11 hectares of greenhouses and organic gardens. It welcomes adults with socialization issues and provides them with a learning environment where the objective is to help individuals become autonomous.

Open Sky Cooperative provides accommodation, professional development and employment for people who need to improve their social skills. Its clientele is made up of people on the autism spectrum, people with learning difficulties, and people with mental health problems. In addition, the residents of Sackville benefit from the presence of the cooperative, because they have access to vegetable baskets and organic eggs.

[*English*]

The Antigonish Community Energy Co-op is another very good example of a cooperative success. The cooperative is a volunteer-run not-for-profit organization that arranges bulk purchases of solar panels for residents, businesses and community organizations in the Antigonish area and in Cape Breton, Nova Scotia.

The co-op is focused on the promotion of solar energy by enabling residents, organizations and businesses within Antigonish and the surrounding area to take greater control of their energy security. They do this primarily through facilitated group buys and supported installations of solar equipment.

Their intention is to work collaboratively with a diverse set of stakeholders and plan for sustainable energy production to address the changing needs; contribute directly to the relief of poverty in their community which is due, in part, to the high cost of energy; and encourage energy efficiency, social justice and environmental protection.

Arctic Co-ops is another example of cooperative success. Arctic Co-operatives Limited is a cooperative federation owned and controlled by 32 community-based cooperative business enterprises located in Nunavut, Northwest Territories, Yukon and northern Manitoba. Arctic Co-ops coordinates resources, consolidates the purchasing power and provides operational and technical support to the community-based cooperatives to enable them to provide a wide range of services in both English and Inuktitut and provides patronage dividends to the local members.

One of the most impressive parts of the business is the Northern Images art galleries. You will find these galleries in many cities across Canada. They sell Dene and Inuit art, including stone, ivory and bone carving produced from soapstone, walrus ivory, caribou antler, whalebone and muskox horn, as well as limited edition prints and wall hangings.

[*Translation*]

The cooperative model is a different way of doing business. It represents a collective, resilient force in which the human view of the economy and community life finds its true strength — in the promotion of equality for all, of the democratic approach to decision making and of the responsibility of individuals and communities, and in the distribution of any surpluses from the operation.

Cooperative governance models are based on different principles that distinguish them from capitalist enterprises, while their development is closely linked to the territories in which they evolve.

Cooperatives benefit from an economic identity that is unique to them, and they remain a source of collective power for everyone who chooses to become involved in them.

I have spoken at length about the cooperative movement, which is near and dear to my heart. I would like to take a few minutes more to talk about my other passion: the French language.

The French fact is just important to me in my personal life as it is in my professional life. I raised my family in a francophone minority community because I always wanted to instill in my children a love of the French language and a desire to learn it. The late Paule Doucet said, and I quote:

> As Franco-Ontarians, whether we were born in Ontario or chose to live here, we all carry with us experiences, knowledge, and memories that help to build and rebuild over time a heritage that must be shared, valued and passed on in our communities.

Bilingualism is an asset. It creates economic opportunities. It improves social skills, and highlights the cultural wealth associated with our family heritage. Protecting our language and culture is of the utmost importance for Canadians. The country's two official languages improve Canadians' quality of life and provide added diversity.

In closing, I hope that my first speech in this chamber helped you to get to know a little more about me and the things that I care about. I want to join with you in using my knowledge of the financial, business, cooperative and social sectors to move forward on the matters that are entrusted to us.

In his Speech from the Throne, the Governor General said, and I quote:

> As a country, we are strengthened in many ways: by our shared experiences, by the diversity that inspires both Canada and the world, and by the way that we treat each other.

I am honoured to be here with you in the Senate of Canada, and I look forward to our future meetings. Thank you.

(On motion of Senator Martin, debate adjourned.)

[*English*]

THE SENATE

MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO RECEIVE PATRICK BORBEY, PRESIDENT OF THE PUBLIC SERVICE COMMISSION, AND THAT THE COMMITTEE REPORT TO THE SENATE NO LATER THAN ONE HOUR AFTER IT BEGINS ADOPTED

Hon. Peter Harder (Government Representative in the Senate), pursuant to notice of April 13, 2017, moved:

> That, at the end of Question Period on Thursday, May 4, 2017, the Senate resolve itself into a Committee of the Whole in order to receive Mr. Patrick Borbey respecting his appointment as President of the Public Service Commission; and
>
> That the Committee of the Whole report to the Senate no later than one hour after it begins.

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

Hon. Senators: Agreed.

(Motion agreed to.)

UNDERGROUND INFRASTRUCTURE SAFETY ENHANCEMENT BILL

THIRD READING

Hon. Grant Mitchell moved third reading of Bill S-229, An Act respecting underground infrastructure safety, as amended.

He said: Honourable senators, there has been much study and discussion of Bill S-229 over the last number of months and years. I simply want to summarize, highlight and tell you how happy I am that this bill is where it is today at third reading on the verge, I hope — and I do not want to be presumptuous — of being passed by the Senate and being sent to the House of Commons.

• (1930)

An Hon. Senator: Hear, hear.

Senator Mitchell: Thank you. Keep moving. Okay, question! Question! Oh, dear.

Bill S-229 has evolved from a number of years of broadly based consultation and work with industry. It is a product of a great deal of hard work by people in construction industries and by people, companies and services that own and operate underground infrastructure; by my staff; by Senate legal staff; and by the Canadian Common Ground Alliance. In particular, I would like to recognize the work of Mike Sullivan, the Canadian Common Ground Alliance executive director.

The bill is now before us at third reading, and I want to emphasize this, because of great work done by the Standing Senate Committee on Energy, the Environment and Natural Resources. It was that committee that first came across the issue that this bill addresses, and it was from a study that was undertaken by that committee that this bill has evolved.

A broad range of industry sectors, companies and leaders, are supporting and pressing for this legislation. It is legislation that will, ironically, invoke regulations that these industries will themselves be required to follow and will pay to implement. I know it's counterintuitive, but that's the fact of this bill and what they are requesting.

Across Canada, there is a network of millions of kilometres of telecommunications lines; fibre optic lines; electric and power cables; pipelines, transmission and distribution, transporting products across our great country and delivering services to our businesses, homes, hospitals, factories and to this place where I speak to you today.

While our dependence on these networks and services is obvious, our diligence in meeting the expectations of Canadians to protect them falls short. This is the public policy gap that Bill S-229 will help fill.

What is at stake here? We know that every day in Canada there is significant danger to human life and health and risk of costly damage to underground infrastructure caused by people who excavate without knowing what is beneath them before they begin. In fact, in 2015 there were 10,000 voluntary reports of damage caused to underground infrastructure in Canada by digging. That's 40 incidents a day on average. This is the most recent data available. Each of these incidents was catalogued in the Damage Information Reporting Tool which, for those who know, happily and fondly uses the acronym DIRT.

It is administered by the regional partners of the Canadian Common Ground Alliance and assessed to determine root causes of digging damage. It's worth noting from this report that 33 per cent of those 10,000 damage incidents were caused by a failure to request a locate by the excavator; 37 per cent of those damages were caused by inadequate excavating practices; 22 per cent were caused by insufficient locating practices; and 79 per cent of these damages, over 8,000, caused a service disruption of one kind or another, not unlike the disruption that we have seen as a result of the gas leak possibly — we don't know for sure — due to a digging incident across the street from this very Parliament.

We know that these accidents cost hundreds of millions, if not billions, of dollars per year for damage repair, environmental rehabilitation, first-responder services, lost business, lost services

and health care costs. Furthermore, these accidents can and often do result in injuries and death.

The federal government is not immune to these risks, by any means. As the largest landowner in Canada, there is a lot of infrastructure under these government-owned lands. The federal government also regulates infrastructure, like interprovincial pipelines and telecommunications lines, which don't necessarily lie beneath federal lands. Digging damage to infrastructure under federal lands and to federally regulated infrastructure, like these pipelines and telecommunications lines, can seriously create liability for the federal government.

The striking realization is that these damages, dangers, risks and costs are largely preventable by implementing a comprehensive, nationwide call, or in the modern era, click-before-you-dig system. Such a system has four essential components: excavators who need to find out what might be underground in the areas where they are planning to dig, and who should be required to do so to find out; owners of underground infrastructure in the vicinity of the dig who need to tell these excavators where their infrastructure is; and owners of underground infrastructure who can and should contribute to a comprehensive centralized databank of detailed information on where their infrastructure is, in order to help streamline and speed up this locating process; a nationwide system of notification centres, which are often called one-call centres, through which all of this is managed and coordinated.

Such centres already exist in Canada, covering all 10 provinces, and even the territories are now starting to explore establishing them as well.

We know that creating a comprehensive call-before-you-dig system is entirely possible on a large and complex scale, even where there are jurisdictional divisions. Why? Because it has been done with great success in the United States. All states and the federal government participate in a nationwide system that has dramatically reduced the danger and damage from inadvertent hits to U.S. underground infrastructure.

The problem in Canada is that Ontario is the only jurisdiction that has comprehensive legislation governing this kind of regime. Alberta has limited legislation covering only pipelines. In June 2016, the National Energy Board did invoke rules covering call-before-you-dig for interprovincial pipelines. The rest of the country, including the enormous inventory of federal lands and federally regulated underground infrastructure that is not necessarily under federal lands, is not covered by legislation governing a consistent call-before-you-dig safety regime.

Bill S-229 will not cover all of this terrain — pun intended — not now formally regulated. However, it will cover a lot of infrastructure which is under federal lands and infrastructure like, as I have said, telecommunications lines under federal jurisdiction. It can also be a model and a catalyst, along with Ontario legislation, to inspire provinces and territories to implement similar legislation for their jurisdictions so we can build a national system.

Bill S-229 will specifically level the playing field across Canada for underground infrastructure in the federal orbit by first making it mandatory for underground infrastructure owners to register the location of their underground assets with existing one-call notification centres, and requiring them to respond to locate requests. Second, by requiring any person who is going to dig to first determine the location of underground infrastructure in the vicinity of their excavation through a mandatory locate request to a one-call centre.

It's also worth noting that Bill S-229 will essentially cost the federal government no money. Allow me to explain.

Infrastructure owners pay for the operation of notification centres and for the costs of the requested locates. As I have said, notification centres already exist covering all 10 provinces. They are private, industry-run, non-profit operations, and they would be happy to handle the federal processes that will be set in motion by this bill.

Bill S-229 will also not require much federal public servants' time and attention, since the Canadian Common Ground Alliance and the notification centres it coordinates and works with will do most of the heavy lifting.

There is a provision for the federal government to provide some grants to provinces and territories, which would encourage their work in accommodating this legislation and in building presence for the requirements of a call-before-you-dig comprehensive system. However, these grants are completely discretionary, and our estimation is the cost would certainly be nominal.

• (1940)

Bill S-229 doesn't discriminate between a buried transmission pipeline transporting hydrocarbons, the buried signals and communications networks which operate warning indicators at rail crossings, or the telecommunications networks delivering 911 services across this country. They are all buried in common ground, Canadians' common ground, undetectable until discovered by responsibly initiating the convenient and simple damage prevention process with a locate request to a one-call centre.

The damage prevention process articulated in this bill will help ensure the safety of workers and the public in proximity to excavation projects and will help protect the integrity of any underground infrastructure in the vicinity of an excavation. While it applies to all types of infrastructure, this bill demonstrates concrete action to enhance pipeline safety significantly and to encourage public confidence in that and, in fact, in all underground infrastructure.

Honourable senators, I said earlier that there is much industry support for this bill and the principles behind it. Bill S-229 has explicitly received support from, among others: the Canadian Energy Pipeline Association; the Canadian Gas Association; the Canadian Construction Association; the Federation of Alberta Gas Co-ops Limited and the Canadian Common Ground Alliance.

I would like to read a passage from a letter I received from one significant supporter, Cynthia Hansen, the president of Enbridge Gas Distribution and Power.

> Bill S-229 takes a simple but necessary step to better protecting the very infrastructure we rely on every day. It brings Canada into line with other jurisdictions, such as the U.S.A., where coordinated notification and locate systems have long been in place in every state. Everyone stands to gain from Bill S-229 and its move towards a safer future. Enbridge recognizes this reality and encourages you and your colleagues to take the same view.

We now have the chance to pass this bill at third reading and move it on to the House of Commons for their consideration. In doing so, we will demonstrate, I believe, yet again, an important role that the Senate can and does play in developing public policy in this country.

With this bill, we are giving expression to a serious policy concern felt and shared by many Canadians, advocated for by broad swaths of the industries that it affects, an issue that has not otherwise been raised for attention at the national legislative level.

I want to express my appreciation for the work that senators have done and the attention that you have all given this bill and this issue, and I ask for your support to pass this bill at third reading. Thank you.

[*Translation*]

Hon. Paul E. McIntyre: Honourable senators, I rise today in support of Bill S-229, An Act respecting underground infrastructure safety. This bill was introduced by Senator Grant Mitchell and passed second reading on October 3, 2016. The Standing Senate Committee on Energy, the Environment and Natural Resources studied it, and now it is at third reading.

This bill states that operators of underground infrastructure that is federally regulated or that is located on federal land must register that underground infrastructure with the appropriate provincial notification centres. It also states that persons undertaking excavation in federally regulated areas must make a locate request to the relevant notification centre regarding underground infrastructure in the area where the work is to be done.

The bill sets out fines and other recourse should these obligations not be met. It also enables indigenous communities to participate in this notification system if they want. Finally, Bill S-229 also provides a mechanism by which reserves and some other lands subject to the Indian Act can become subject to this notification system after consultation with the council of any band in question.

This bill stems from a December 2014 report by the Standing Senate Committee on Energy, the Environment and Natural Resources, which recommended that all levels of government adopt this type of notification system.

While "dial or click before you dig"-type notification systems are in place in Canada, only Ontario has laws that make them mandatory. Significant damage is done and costs incurred when people hit underground infrastructure while digging, be it in the context of major construction projects or homeowners digging in their yard.

In addition to the socio-economic costs of damaged underground infrastructure, there are also indirect costs including emergency services, evacuations, loss of products, the environmental impact, the economic impact on businesses, and the risk of injury or death. The bill proposes granting a modest federal subsidy to not-for-profit organizations and other stakeholder groups that deal with damage prevention, such as notification centres.

As Senator Mitchell said, this bill is a step in the right direction even though it only covers underground infrastructure that is federally regulated or located on federal land. Honourable senators, it is important to support this bill to prevent damage and enhance the safety of essential underground infrastructure. Let us hope that it will gain attention from the provincial and territorial governments and that it will motivate them to adopt legislation so that we may implement a national system.

[*English*]

Hon. Donald Neil Plett: Honourable senators, I need to make a confession here today. I am one of the culprits that Senator Mitchell talked about when he talked about people causing all kinds of damage to underground infrastructure. I have done that in the past, in my previous life, and that is one of the reasons why I very much support this piece of legislation.

Senator Campbell: We forgive you.

Senator Plett: I believe this is long overdue. I really do believe that so much damage could be avoided and that the spending of so many millions and millions of taxpayers' dollars and private dollars would be clearly avoided if we had call-before-you-dig legislation.

Manitoba has something of a call-before-you-dig regulation, but it is voluntary. They come out and they check, but it's done on a voluntary basis, and I don't think that is adequate. I have no idea whether the gas leak in Ottawa today was caused by that type of a thing, but very likely it could have been, and there is, of course, millions of dollars of damage. This is clearly a non-partisan piece of legislation, and it has been here for far too long.

I will make a little campaign speech. We have another piece of legislation that we will deal with very soon that has also been here for far too long, so I would suggest, colleagues, that we put partisanship behind us and start passing some of these long-overdue bills.

Senator Wells: Let's make a deal!

Senator Plett: Yes, let's make a deal. I would call on the Senate to vote on this piece of legislation today and get this over to the other place. I think it's overdue, and I don't think there needs to be any more debate on this. I would certainly call for the question here today.

The Hon. the Speaker *pro tempore*: Senator Plett, will you take a question?

Senator Plett: Yes, certainly.

[*Translation*]

Hon. Éric Forest: My question is for Senator Mitchell.

The Hon. the Speaker *pro tempore*: It is too late. You should have asked Senator Mitchell your question immediately. Ask Senator Plett. He might be able to help you.

Senator Forest: Senator Plett, I'm not sure whether you will agree with me, but I am concerned that the vast majority of underground infrastructure is on municipal land. The bill should address municipal organizations such as the Federation of Canadian Municipalities, or territorial and provincial associations. When damage occurs on lands under their jurisdiction, it can cost our local communities a fortune. I wouldn't be surprised if Senator Plett himself experienced this while running his business. Given the astronomical costs that our fellow Canadians are forced to absorb, if Bill S-229 addressed that concern about getting municipal governments involved, I'm sure municipalities would be on board in a heartbeat.

• (1950)

[*English*]

Senator Plett: Thank you very much for that question. I certainly agree with you. I believe that municipalities across the country would jump all over this and say, "Here's a perfect opportunity for us to possibly pass off some responsibilities to the federal government." I think they would be very happy with this legislation. So, yes, I agree.

Senator Mitchell: Thank you, Senator Plett, for your support for this bill.

You're both right. I would like to just ask whether you would agree with me when I say that because this is federal land, there will be relatively few municipalities involved. While it is a greater issue for provincial jurisdiction, it isn't a particularly great issue in federal jurisdiction at all.

However, I expect that you would also agree that the savings are huge given the amount of damage that can be done — look at downtown Ottawa — and that, at some point, as we evolve across the province, that kind of cost saving makes it worth the investment.

Senator Plett: Senator Mitchell, you have no idea how happy I am whenever I can agree with you, and I certainly agree with you on that.

The Hon. the Speaker *pro tempore*: Now that Senator Plett is seated, I can take his advice and ask you all: Are honourable senators ready for the question?

Hon. Senators: Question!

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

Hon. Senators: Agreed.

(Motion agreed to and bill, as amended, read third time and passed.)

[*Translation*]

CONSTITUTION ACT, 1867

BILL TO AMEND—SECOND READING—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Patterson, seconded by the Honourable Senator Enverga, for the second reading of Bill S-221, An Act to amend the Constitution Act, 1867 (Property qualifications of Senators).

Hon. Pierrette Ringuette: Honourable senators, I want to talk about Senator Patterson's Bill S-221.

I would like to provide some background to help everyone understand my remarks. About 30 years ago, during the constitutional talks on the Meech Lake Accord and the Charlottetown Accord, I was a newly minted MLA in New Brunswick. I was part of my province's team on this file. It was an exceedingly stressful time. I will never forget one particular week of intense negotiations in Ottawa where, during occasional breaks, I could see Premier Bourassa on the roof of the old train station, which is soon to be the Senate's roof.

Mr. Bourassa would go up to the roof to gather his thoughts, while drinking his usual glass of wine. All these discussions with no resolutions left a bad taste in the mouths of our politicians, as well as our constituents, when it came to these constitutional changes.

That is why the Senate reforms advocated by former Prime Minister Harper never came about, based on the constitutional interpretation of the proposed Senate changes, in a decision that was handed down by the Supreme Court in 2014.

[*English*]

Reforming the Senate via constitutional amendments that required unanimous consent or the 7-50 rule was not in the cards, since no politician desired to reopen constitutional wounds.

It was also understood in 2014, by all senators, that we would modernize the Senate from within. It would necessitate reviewing how we operate, i.e., our standing rules and also how we administer our finances.

With this backdrop, I was quite surprised when Senator Patterson introduced Bill S-221, requesting a constitutional amendment in regard to the property qualification of senators. As far as I know, this $4,000 qualification has never been an issue for senators. I recognize that $4,000 was an impressive amount to qualify 150 years ago, but $4,000 today is more than reasonable as a qualifier.

I must also admit that the other element in my surprise was that with all the events that the Senate had to deal with in the last decade, including, not in the least, the public outcry, in my point of view, we senators should be the last individuals or group to request constitutional change. To me, it seems to be a little self-serving.

So why would we go there? What is the major problem?

Senator Patterson indicated in his speech that it was an issue in Nunavut. Nunavut has had one Senate seat since 1998. He further indicated that over 83 per cent of Nunavut residents do not own land or property. Land and most property is, technically, Crown land. Therein lies the problem, which is very specific to a geographic area of our country.

It seems to me that Bill S-221 is somewhat unreasonable and unrealistic in pursuing constitutional amendments that necessitate the agreement of Quebec's National Assembly, i.e., reopening dissension. I am not surprised that the letter sent by Senator Patterson to Premier Couillard has not been answered.

That being said, I quote what the Supreme Court related in its 2014 decision in regard to the $4,000 property qualification, i.e., under question four:

> The requirement that senators have a personal net worth of at least $4,000 (s. 23(4), *Constitution Act, 1867*) can be repealed by Parliament under the unilateral federal amending procedure. It is precisely the type of amendment that the framers of the *Constitution Act, 1982* intended to capture under s. 44. It updates the constitutional framework relating to the Senate without affecting the institution's fundamental nature and role. . . . However, a full repeal of s. 23(3) would render inoperative the option in s. 23(6) for Quebec Senators to fulfill their real property qualification in their respective electoral divisions, effectively making it mandatory —

— making it mandatory —

> — for them to reside in the electoral divisions for which they are appointed. It would constitute an amendment in relation to s. 23(6), which contains a special arrangement applicable to a single province, and consequently would fall within the scope of the special arrangement procedure. The consent of Quebec's National Assembly is required pursuant to s. 43 of the *Constitution Act, 1982*.

[*Translation*]

I met with Senator Patterson last December to share my concerns with him. For one thing, I don't see how we could ask Quebec to agree to the requests for constitutional changes to the Senate without Quebec being able to request some changes of its own. It would be preferable if the other provinces opposed this measure, even though their consent is not necessary. What is more, I take a dim view of the fact that the Senate is once again becoming the centre of attention when it comes to the Constitution, which no one—I repeat, no one—wants to re-open.

• (2000)

It seems to me that, with Bill S-221, Senator Patterson is using a sledgehammer to kill a fly.

[*English*]

At our meeting last December, I proposed to him a simple and elegant solution to the property qualification for the one Senate seat for Nunavut, which would be as follows: Since this has been a problem situation since 1998, and for the single Nunavut seat, he should, as a first step, remove Bill S-221. Then he should seek the bilateral process for amending the Constitution that provides for special arrangements applicable to a single province or territory. That is a particular request from a province or territory in regard to a constitutional amendment specific for that province or territory.

We have many examples of this process in the last few decades. For example, Quebec and then Newfoundland were removing religion from their education systems. It required a constitutional amendment. We also had Newfoundland changing its name to Newfoundland and Labrador.

Senator Patterson should ask the Nunavut Assembly to vote on a motion requesting Parliament to exempt Nunavut from a senator's property qualification in the Constitution Act.

It is a simple, elegant and bilateral process between the Assembly of Nunavut and the Parliament of Canada. It is an exemption for one seat to qualify under $4,000.

I strongly believe that Nunavut and Parliament would react favourably to this request and therefore provide the solution he is seeking.

In closing, I ask again that Senator Patterson remove from the Order Paper his Bill S-221 and his Motion No. 73 and begin the bilateral process of seeking a property exemption for Nunavut — a simple, elegant and most effective means to solve this problem.

[*Translation*]

Hon. Ghislain Maltais: Honourable senators, I would like to quickly express my agreement with my colleague Senator Ringuette's speech about a subject that we have often discussed and in which we have both been involved at other levels of government, pertaining to the Canadian Constitution. Canadians do not want to re-open the Constitution for any reason. Not for any reason. I want to make that very clear to everyone. The Prime Minister of Canada has stated that very clearly, and so has the Premier of Quebec.

The solution to the problem that Senator Patterson has presented is found in in part in Senator Ringuette's speech, but

this is a special circumstance. It is a unique case. We do not want this to snowball.

If Senator Patterson were to come to us with an easy solution that would take care of the unique case of Nunavut, I believe that, like me, my colleagues would agree to have Bill S-221 and Motion No. 73 withdrawn from the Order Paper.

(On motion of Senator Harder, debate adjourned.)

SENATE MODERNIZATION

NINTH REPORT OF SPECIAL COMMITTEE— DEBATE CONTINUED

On the Order:

> Resuming debate on the study of the ninth report (interim) of the Special Senate Committee on Senate Modernization entitled *Senate Modernization: Moving Forward (Question Period)*, presented in the Senate on October 25, 2016.

Hon. Pierrette Ringuette: Honourable senators, I would like to share my comments and thoughts on recommendations 18, 19, and 20 contained in the ninth report of the Special Senate Committee on Senate Modernization which deals with Question Period.

Rules 4-7 and 4-8 of the Rules of the Senate provide for a question period of 30 minutes at every meeting of the Senate, to ask questions of the Leader of the Government. The rules establishing a question period in the Senate are relatively new as Question Period was introduced in our Rules in the early 1990s at the same time as the rules creating the position of Leader of the Opposition.

This means that for almost 125 of the 150 years of the Senate's existence in Canada, there was no question period. This leads us to wonder what the basis is for the arguments of certain senators that Question Period is necessary because it is a means of holding the government to account, and this responsibility is one of the Senate's essential roles. Are we to understand that the Senate did not fulfil its role from 1867 to 1990? I highly doubt that. In fact, I believe that this measure has heightened partisanship in the Senate.

In my experience, both as a member of government and a member of the opposition, I have always found Question Period to be a waste of time and energy. I am not the only one to feel this way. Question 6B in the Greene-Massicotte questionnaire was about question period: "In your ideal Canadian Senate, do you have comments with respect to: Question Period"?

[*English*]

Ninety-three per cent of senators said that it was a "waste of time." You also have to acknowledge that this questionnaire was done during the summer of 2015, at which time 98 per cent of senators were within a political caucus. Since 93 per cent of those senators who said it was a waste of time were probably members of the Modernization Committee, one must wonder why the sudden change of heart. Why are you still recommending the one day per week to question the Government Representative as per your Recommendation 20? It does not reflect the poll done by Senators Massicotte and Greene where 93 per cent of senators said it was a waste of time.

• (2010)

The last 25 years of having a Question Period was not viewed favourably by 93 per cent of partisan senators.

Even now, as an independent senator, I still believe that Question Period of the Government Representative is a waste of time, although I do find that Senator Harder is doing a reasonable job.

Some Hon. Senators: Hear, hear!

Senator Ringuette: Questions to which he readily has no answer, he undertakes to seek answers and table them. So why are we not pursuing tabling written questions? Why hasn't the Modernization Committee made a recommendation in regard to written questions?

Senator Downe could give all of us pointers on mastering written questions. He consistently uses that tool to seek answers on issues that he efficiently highlights, namely, offshore tax evasion.

I believe that strengthening the rules in regard to written questions would be beneficial to senators instead of wasting everyone's time in Question Period.

For example, the House of Commons has rules in regard to written questions which include 45 calendar days to provide an answer. The question must be to one minister in regard to activities within his or her department. We could easily provide for the same period to reply, and if more time is required, the Government Representative could ask for an extension with reason via a motion and ask for a vote in support of an extension.

These new proposed rules for written questions would increase the use of written questions and provide senators with more detailed information. That's the purpose of the question. It's providing and asking for more detailed information.

Recommendations 18 and 19 are to formalize the practice of inviting government ministers and officers of Parliament to appear in the chamber during Question Period on a regular basis. This process is currently done via a motion from the government team in regard to ministers appearing at Question Period, and for officers of Parliament it is a motion to appear before Committee of the Whole.

Since ministers' agendas are set a few months in advance and with limited flexibility, predicting these weekly appearances within our rules is not a simple matter. The commitment of Senator Harder to seek ministers to appear before us requires many requests, I'm sure, to these ministers and providing time frame options for their agendas. That flexibility should be maintained.

Honourable senators, I am advocating the complete removal from our rules and Order Paper the item of Question Period. In order to establish a rules-based standard, I recommend that both invited ministers and officers of Parliament appear at Committee of the Whole for not more than one hour. Notice of moving to Committee of the Whole should be given at least five sitting days prior to the event, with the name of the guest and the time of appearance.

Rule 12-32(4) already provides for the participation of ministers and other persons to appear in Committee of the Whole. When a bill or other matter relating to the administrative responsibility of the government is being considered by a Committee of the Whole, a minister who is not a senator may, on invitation of the committee, enter the chamber and take part in the debate. It is already there.

This rule for Committee of the Whole can be simply modified to accommodate, from time to time, a minister's appearance to answer questions in regard to his or her responsibilities.

With regard to questions to committee chairs, there are many opportunities to do so: when they table a report, when they ask for funding for studies or for travelling. This is not a major issue. In fact, I cannot remember when a committee chair was questioned during Question Period.

[*Translation*]

In short, given that 93 per cent of senators clearly indicated in June 2015 that Question Period was a waste of time, given the irregularities and the arrangements necessary to have a minister appear during Question Period, given the other opportunities that we have to ask questions to committee chairs, I propose that Question Period be completely eliminated.

[*English*]

It's a waste of time. When you're in opposition, you think you're scoring points. There's nobody listening. When you're in government, you think that they are being partisan. At the end of the day, it's half an hour of our time where we could be discussing issues, government bills, Senate bills, et cetera. We have the other tool that is already there, and we're not using it because perhaps we don't have a time frame to the written question issue, like they have in the other place.

[*Translation*]

For these reasons, I propose that Question Period be completely eliminated. I also propose that rules regarding Committee of the Whole be changed to allow a 60-minute period for ministers or officers of Parliament to be questioned regarding their duties, provided that notice is given five days prior.

I also propose to improve the rules regarding written questions to establish a reasonable time limit for written answers.

[*English*]

I am not amending the report. I was anticipating more of a fundamental requirement for us to do a better job within the institution for the Canadian people. I'm hoping that these reasoned proposals will be seriously considered by the Rules Committee when they consider Recommendations 18, 19 and 20 of this report in order to increase our effectiveness and help reduce unwarranted partisanship in our chamber.

Hon. Terry M. Mercer: I'm one of the people who likes Question Period. I like it when I am on this side and that side. I do think, though, that we've missed the point.

The Modernization Committee should have modernized it and made it more efficient. The problem with Question Period in this chamber is we have no limits on the length of the question, and we certainly have no limits on the length of the answer. It drags on from both sides. I'm just as guilty as the next person.

• (2020)

So if we were to modernize it by putting limits similar to what they have in the House of Commons where you have to be succinct and to the point with your question, and the minister or the Leader of the Government in the Senate have to be precise and succinct with his or her answer, that's what we need. You know what? In two years' or three years' time if that didn't work, perhaps we'll go with Senator Ringuette's suggestion.

Modernization is not tearing down the building; modernization is refining what we have. I think if we refine it, limit the length of the questions and limit the length of the answers, number one, you'll get more questions in. By the way, you know that it's called "Question Period;" it's not called "answer period," so you might not get a lot of answers, but that's politics.

You can get a question on the record that's important either to you or to the people you represent from your province, and it may be important to them that that question be put. The answer may not be coming, but at least it's been brought forward. By eliminating it, we've eliminated that opportunity altogether.

(On motion of Senator Mercer, debate adjourned.)

THE SENATE

MOTION TO ENCOURAGE THE GOVERNMENT TO MAKE PROVISION IN THE BUDGET FOR THE CREATION OF THE CANADIAN INFRASTRUCTURE OVERSIGHT AND BEST PRACTICES COUNCIL—DEBATE CONTINUED

On the Order:

> Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Enverga:

That the Senate — in order to ensure transparency in the awarding of public funds and foster efficiency in infrastructure projects in the larger context of economic diversification and movement toward a greener economy, all while avoiding undue intervention in the federal-provincial division of powers — encourage the government to make provision in the budget for the creation of the Canadian Infrastructure Oversight and Best Practices Council, made up of experts in infrastructure projects from the provinces and territories, whose principal roles would be to:

1 collect information on federally funded infrastructure projects;

2. study the costs and benefits of federally funded infrastructure projects;

3. identify procurements best practices and of risk sharing;

4. promote these best practices among governments; and

5. promote project managers skills development; and

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

Hon. Yonah Martin (Deputy Leader of the Opposition): I move the adjournment, in my name.

(On motion of Senator Martin, debate adjourned.)

MOTION TO URGE THE GOVERNMENT TO TAKE THE STEPS NECESSARY TO DE-ESCALATE TENSIONS AND RESTORE PEACE AND STABILITY IN THE SOUTH CHINA SEA—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ngo, seconded by the Honourable Senator Cowan:

That the Senate note with concern the escalating and hostile behaviour exhibited by the People's Republic of China in the South China Sea and consequently urge the Government of Canada to encourage all parties involved, and in particular the People's Republic of China, to:

(*a*) recognize and uphold the rights of freedom of navigation and overflight as enshrined in customary international law and in the United Nations Convention on the Law of the Sea;

(*b*) cease all activities that would complicate or escalate the disputes, such as the construction of artificial islands, land reclamation, and further militarization of the region;

(*c*) abide by all previous multilateral efforts to resolve the disputes and commit to the successful implementation of a binding Code of Conduct in the South China Sea;

(*d*) commit to finding a peaceful and diplomatic solution to the disputes in line with the provisions of the UN Convention on the Law of the Sea and respect the settlements reached through international arbitration; and

(*e*) strengthen efforts to significantly reduce the environmental impacts of the disputes upon the fragile ecosystem of the South China Sea;

That the Senate also urge the Government of Canada to support its regional partners and allies and to take additional steps necessary to de-escalate tensions and restore the peace and stability of the region; and

That a message be sent to the House of Commons to acquaint it with the foregoing.

Hon. Pierrette Ringuette: Honourable senators, this is probably going to be the shortest speech tonight.

I want to say that I reread Senator Ngo's speech, and I want to thank him for providing at least my office — and probably to every senator's office — the extensive study that he did on the issue with regard to the motion in front of us. I also understand that the government has no issue with the motion.

However, I do have an issue, because this motion requires that the Senate urge the Government of Canada on a simple motion without studying in detail the issue it concerns. I think that is not welcome wording with regard to an institution that is requested to provide sober second thought.

With that perspective, honourable senators, pursuant to rule 5-7(b), I move:

That the question under debate be referred to the Standing Senate Committee on Foreign Affairs and International Trade.

I move this motion so the committee can provide an in-depth recommendation to honourable senators before we vote on such a motion.

The Hon. the Speaker: It was moved by the Honourable Senator Ringuette, seconded by the Honourable Senator Lankin that, that pursuant to rule 5-7(b) — may I dispense?

Hon. Senators: Dispense.

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

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

TRANS CANADA TRAIL

HISTORY, BENEFITS AND CHALLENGES—INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Tardif, calling the attention of the Senate to the Trans Canada Trail—its history, benefits and the challenges it is faced with as it approaches its 25th anniversary.

Hon. Chantal Petitclerc: Honourable senators, I'm not sure if I should thank you in advance for your attention or ask for your forgiveness for keeping you here a bit longer. I will simply repeat what Senator Gagné said enthusiastically a few weeks ago, "Honourable senators, the night is still young."

Last June 26, Senator Tardif drew our attention to two major challenges regarding the Trans Canada Trail, also known as the Great Trail. Today, I am adding my voice to this important debate.

The Great Trail was the dream of Quebecer Pierre Camu and Albertan Bill Pratt, two visionaries who hoped to see Canada's recreational trails connected as a single gigantic trail.

The creation of this interconnected network of trails started in 1992 as part of Canada's 125th anniversary celebrations. Twenty-five years later, it is 91 per cent complete, measures 21 500 kilometers, and is the longest recreational trail in the world. Here is what the Right Honourable Michaëlle Jean said about this trail:

> A path through the fields, a bridge over a river, a trail deep in the forest or on the mountainside, a rowboat across a lake—it is a living tapestry that takes your breath away, and so much more still.

[*English*]

The wish of many, including myself, is that the Grand Trail be completed this year, for Canada's one hundred and fiftieth anniversary. Imagine that 432 local trails will be connected. It will measure 24,000 kilometres and connect more than 15,000 communities from all corners of all provinces and territories.

[*Translation*]

Like the Trans-Canada Highway, the Trans Canada Trail brings us closer and gives us the opportunity to discover the vastness of our country. I'm not the only one who thinks so.

[*English*]

Matthew Stevenson, a cyclist from Toronto, says:

> The Trail is one of the ways we link ourselves together — just as we know we can go to British Columbia and listen to the CBC and hear the same stories we hear in Ontario. Or, we all have the same five-dollar bill with Wilfrid Laurier on it. It's about connection.

Since 2015, Dianne Whelan has been travelling across Canada through those trails. She draws from this experience, that the Trans Canada Trail is an umbilical cord that connects us all.

• (2030)

[*Translation*]

Honourable colleagues, like all Canadians, you can walk, bike, ski, snowshoe, kayak or canoe the Great Trail, and it's even wheelchair accessible.

I'm sure you know, as all the experts do, that regular physical activity is beneficial to both physical and mental health. I was less aware of the specific benefits of physical activity in a natural setting.

In 2009, researchers studied the health benefits of walking in a forest compared to walking in an urban environment. The subjects that went for a walk in the forest had lower and more stable blood pressures and heart rates. Another study using a similar methodology showed that levels of the stress hormone cortisol in the saliva were lower after a walk in the woods.

[*English*]

So it is worth enjoying it, especially when 80 per cent of Canadians live within 30 minutes of one or more completed sections of the great trail.

[*Translation*]

Honourable colleagues, I said earlier that the trail is only 91 per cent complete. In her inquiry, Senator Tardif lamented the fact that lack of funding delayed the final connections. Thankfully, in the most recent budget, the federal government set aside $30 million over five years for the connection, improvement and maintenance of the Trans Canada Trail.

I wish the news were as good regarding improving safety on certain parts of the trail, which was the other challenge raised by Senator Tardif. I agree, Senator Tardif, that a lot more has to be done in that regard.

Your former colleague Edmund Aunger, who was also my political science professor, taught me the importance of setting standards, even minimal ones, for construction, security and access over the entire Trans Canada Trail network.

Mr. Aunger spent a lot of time on the trail with his wife, Elizabeth Sovis. In 2012, she was tragically and fatally hit by a car while she was biking on the trail. The accident occurred when the couple was forced to leave the trail and bike along a highway because there was no bike path.

[*English*]

Mr. Aunger said that there was no shoulder. He had seen that he had to leave the trail, but he never imagined that it would have been necessary for him to ride on the highway.

[*Translation*]

Still today, sections of the trail are actually roads, usually secondary roads, used by motor vehicles. Cyclists often risk being struck by cars because they have no other choice but to use these roads, which don't always have paved shoulders. According to the Chair of the Sudbury Cyclist Union, Rachelle Niemela, Mr. Aunger's demands are justified because some sections of the Trans Canada Trail are obviously more dangerous than others.

[*English*]

I agree with Professor Aunger, who is proposing a comprehensive plan to allow the federal and provincial governments to frame the construction of trails. These levels of governments should be guided by the same model used for the Trans-Canada Highway, which required exchanges between the federal government and the provinces regarding funding, construction standards and the route the trail should follow.

[*Translation*]

Also, having standards would mean that the trail would be universally accessible to people living with disabilities, inasmuch as it is possible, of course.

Honourable colleagues, this year being Canada's 150th anniversary, it seems appropriate to note that the Trans Canada Trail is one of the largest volunteer projects ever undertaken in Canada. Thousands of donors and volunteers have been involved throughout the country. The vastness of our land only reinforces the importance of initiatives that bring us closer together. The Great Trail is such a unifying project and is worthy of our attention.

[*English*]

Thank you again, Senator Tardif, for this opportunity to learn more about the history and the potential of this interconnected network of trails. With the good weather coming, I invite you, dear colleagues, to take the time not only to familiarize yourself with this project but especially to take advantage of it. So go out and recharge your batteries; go for a few kilometres on foot or on your bike and enjoy these trails that we are so lucky to have. But not tonight.

(On motion of Senator Mercer, for Senator Day, debate adjourned.)

REGIONAL UNIVERSITIES

INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator Tardif, calling the attention of the Senate to regional universities and the important role they play in Canada.

Hon. Patricia Bovey: Senators, it's late and the day has been full, but I still rise to speak to the inquiry on small- and medium-sized universities.

Canada is blessed with universities of all sizes, covering a full spectrum of specializations. Each is critically important, meeting specific student and research needs. They all contribute substantially to their communities with positive impacts on employment, innovation, specialized fields and the economy. They bring world experts into their community. They work with gender equity and have developed strong interdisciplinary partnerships with industry, social research, pre-secondary education, engineering and health.

My university involvement since the mid-1970s is with large, mid-sized, small and discipline-based universities as chair of two university boards, professor at two others and advisory on special programs at another.

Today, I draw attention to the work of Canada's four major fine-art and design universities that award BFAs, MFAs and related degrees in design, film and media. Together with fine-art university degree and college diploma programs, 82,672 students in Canada were enrolled in visual and performing arts and communication technologies in 2013-14. Their graduates are employed in all sectors of our economy.

I have spoken with and thank the leadership of all four major arts and design universities: NSCAD, Nova Scotia College of Art and Design in Halifax; OCAD U, the Ontario College of Art and Design University in Toronto; Alberta College of Art and Design in Calgary; and Emily Carr University of Art and Design in Vancouver. We discussed their initiatives, statistics and current barriers.

[*Translation*]

Graduates of arts and design universities are innovators and have a vision to shape the future.

[*English*]

The mantra "head to heart to hand," to think, to feel and to make summarizes what they do. Creativity enables innovation. Art and design unquestionably adds the plurality needed to be an innovative society.

Would you be surprised to learn that a 15-year survey of graduates confirmed that the employment rate from these universities is 92 per cent? That is true for Emily Carr, Nova Scotia and Ontario's art and design universities, closely followed by Alberta, and equalling rates of larger universities. Thirty per cent of graduates from the two western art and design universities and 57 per cent from Ontario's have started their own companies. Ontario College of Art and Design University's research shows that 87 per cent of their graduates will operate businesses at some point in their careers. The tech sector's demand for Emily Carr students far exceeds the number of graduates, in a province where the creative economy equals 7 per cent of their total economy.

The creative economy is an increasingly critical part of the nation's economy.

Ontario College of Art and Design University is Canada's largest, most comprehensive art, design and media university in Canada. Founded 141 years ago, it now has 3,200 full-time and 1,050 part-time undergraduates, and 170 full-time and 80 part-time graduate students. Through its history, it has successfully adapted to societal and industry needs, pioneering new technologies and approaches.

• (2040)

Emily Carr University of Art and Design, founded as the Vancouver School of Art in 1926, has 2,000 full-time FTEs, graduating 400 to 450 students annually with more than 50 per cent studying design. Fifteen hundred community attendees are also in their outreach program, the biggest in that field, which, driven by market forces, is proving its high value. Emily Carr is about to open a Prince George campus in the Wood Design Centre and will offer fine art and design credit and non-credit undergraduate and graduate programs. This fall they are moving to a new Vancouver campus, a truly successful 3P project.

Nova Scotia University of Art and Design in Halifax is currently celebrating its one hundred and thirtieth anniversary. With its troubled period over and its independence confirmed, they have 600 full-time and 150 part-time undergraduates and 30 full-time graduate students and a 30 per cent increase in applications for the coming academic year. Like their colleague institutions, they are experiencing a significant 35 per cent uptake in design while retaining all their traditional disciplines and focus on art, design and craft. A craft institute being established is one research cluster resulting from their new strategic plan. They also run four community artists in residence programs in Lunenburg, Dartmouth, New Glasgow and Sydney, offering workshops, exhibitions and talks. Our former colleague Senator Moore has been a supporter of these and is currently involved.

Alberta College of Art and Design, now 90 years old, has 1,238 students plus continuing education students. Currently, 18 per cent of their students have at least one declared disability; 11 per cent are Aboriginal; and their students are slightly older than those at larger universities. Many are second career students, shifting fields into what they always wanted to do. I gather classes there are rich with intergenerational interactions, all learning from each other. Small, this university serves a vulnerable population well.

[*Translation*]

These small arts and design universities have a far-reaching influence. Because they touch upon the three key components of society—cultural, social and economic—creative industries are inextricably linked to one another and are also related to arts and design, including art therapy and the creation and incubation sectors. The thought process associated with design gives students problem solving abilities that are transferable and highly sought after by employers.

[*English*]

In our society dominated by images, every student, faculty and staff member in these communities of creators is passionate about the art of creating and communicating, and all are engaged in content creation. Traditional norms shift quickly from one platform to another, from TV and movies to iPads and phones and now autonomous vehicles. We need a new workforce able to move between platforms. Art schools, small and nimble, train for that fast-paced rate of technological and societal change, inspiring today's students with skills different from earlier generations. Multi-tasking and navigating easily, they learn by sound bites. Art and design schools also teach interaction between disciplines and how to look at and interpret the world, readying it for the future.

So what do these places research and teach? Each has internationally recognized programs, Emily Carr being a global leader in dedicated research for studio-based art, design and media, with many industry partners encouraging academic research by nurturing industry engagement. It holds a top Canadian art and design spot in international rankings. Their significant research with industry includes building materials, fashion design and cutting-edge research in textiles and wearables, visual and digital media, and they were pioneers in developing 3-D printers. They are also partnering in challenging design issues in the medical area, working with 30 to 35 partners annually, developing successful signage approaches for hospitals, such as those for hand washing, and they are actively involved in the design for the new St. Paul's Hospital, researching needs of future hospital rooms.

Now with 120 Aboriginal students from across northern B.C. and Alberta, they have inaugurated a new door manufacturing industry in the North. With UBC, indigenous students' designs for doors are being scanned and printed in 3-D and sold country-wide. The early iterations have been hugely successful.

Fine art graduates also develop specialized problem-solving skills required by business, graduating with a tool box of abilities that let them work anywhere and in many areas of the economy. It is a new age for this type of graduate who has the ability to seek out problems and solve them, a skill enhanced by the universities' visualization labs. Students can contextualize and, resourceful, they have the intellectual capability and skills to deliver.

The survey found that 58 per cent of Nova Scotia's fine art alumni with undergraduate fine art degrees and 77 per cent with graduate degrees were working as artists. Other arts sector jobs included designer, web designer, creative designer, director, filmmaker, photographer, curator, gallery owner, craft artist, arts administrator, arts educator and architect.

But what about the opportunities for these small discipline-based universities to obtain research grants and Canada research chairs? That playing field is not even. Some universities of all sizes are disadvantaged because of the varying provincial policies for research, as most federal research funds are matching funds. Smaller universities are disadvantaged because they are primarily undergraduate with small graduate programs. Historically, though, research funds for visual arts and design have been virtually non-existent.

Though each of these four received some grants from the major research funding, equitable funding overall remains an issue. Our research councils are not set up for the kind of research these universities do. Unlike Finland, there is no framework in Canada

for design research, a field so critical to our moving forward. Nonetheless, these small but mighty universities continue to make huge impacts.

Nova Scotia, Emily Carr and Ontario universities of art and design have recently received Canada research chairs. Emily Carr has three with a fourth coming. Nova Scotia has one with the effective appointment date of January 2018. Ontario has three, one now filled for their pioneering Indigenous Visual Cultural Centre, with others in the hiring phase. Alberta College of Art and Design, acknowledging they were late into the research game, are launching their first research institute this fall, focusing on design-thinking for social issues. I believe the research funding they have all received should increase as the need and capacity is evident.

Small universities do great research and have developed truly inspirational partnerships with industry and social society. Nova Scotia's partnerships, for instance, include research in health care, particularly the aging and Alzheimer's. They are developing product designs and functional, accessible clothing for an aging population, respecting an individual's dignity.

Looking to provincial sustainability, they are also tied to the Nova Scotia agricultural community with their Sow to Sew program, reigniting growing linen as a harvest crop, following it from cultivation through each organic process, dying to sewing.

Ontario has their Digital Futures Initiate with new research in inclusive design, health and sustainable technology. The director of their Inclusive Design Research Centre, the world's most significant research centre on inclusive design, was a panelist at Toronto's recent autonomous vehicles conference. Their strong partnerships with science, business and communities, at home and abroad, make them a leader in these transitioning times. Their strategic foresight and innovation design lab, for example, is important in every stage from visualization through digital transformation, computation and artificial intelligence, in robotics, smart textiles, and the Internet of things. Their health and environmental design research contributes to industry, assisting in making useful and usable products with these new technologies. They serve the wider community with teams which include computer scientists, artists and designers and art thinkers. Think of the learning opportunities for students, tomorrow's workers.

Community organizations also partner with art and design schools. Alberta College of Art and Design, for instance, has a program where students work with not-for-profits on various projects. They recently designed a travelling booth for the RCMP.

• (2050)

These four universities also provide access to students from remote parts of the country, enabling them to complete degrees after doing their first or second years elsewhere. One feeder program eligible for credit transfer is Yukon's School of Visual Arts. A similar approach was developed for the potential Aboriginal Arts Centre in northern Manitoba. Students would complete their first two post-secondary years in Thompson, under the auspices of University College of the North, and then transfer to departments of fine arts or fine art universities across the country. Equal access opportunities to education for all Canadians must be enshrined, regardless of geography. This is the primary way as a nation that we will be able to redress some of the most critical issues in contemporary society.

All our universities are led by community members on their boards of governors. This involvement is critical, bringing experience from the outside, weaving the community into the fabric of the university. I know several of us in this chamber have been on or chaired these boards, serving our institutions of higher learning and our communities.

I applaud the work the boards do in furthering the university mandates and sharing best practices. CUBA, the Canadian University Boards Association representing the boards and university secretaries of 80 of Canada's universities —

The Hon. the Speaker: Excuse me, senator, but your time is expired. Are you asking for more time?

Senator Bovey: May I have three minutes?

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

Hon. Senators: Agreed.

Senator Bovey: Three of the four art and design universities are part of CUBA. Their annual conference is later this week in Guelph — the theme being timely "Because it's 2017: Cultivating Diversity and Inclusion in University Governance."

[*Translation*]

In closing, I think that the accomplishments and contributions of Canada's universities are exemplary; that those of small and medium-sized universities are essential; and that those of arts and design universities are stimulating because of the concrete role they play in facing the exciting challenges our society faces and in shaping our collective future.

[*English*]

Let's acknowledge and celebrate the role of our smaller and discipline-based universities and enable them and their students to fulfill their dreams and potential for the benefit of all Canadians.

Colleagues, we must keep in mind that these small- and medium-sized universities are not just places of learning. They are economic drivers infusing workers, ideas and money into our economy. These institutions are key and can play a unique role in achieving one of the current government's highest priorities, building a stronger middle class. As such, they deserve the proper level of funding in order to continue making these significant contributions to our society. Thank you.

(On motion of Senator Christmas, debate adjourned.)

(The Senate adjourned until tomorrow at 2 p.m.)

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

THE SPEAKER

The Honourable George J. Furey

THE GOVERNMENT REPRESENTATIVE IN THE SENATE

The Honourable Peter Harder, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Larry W. Smith

THE LEADER OF THE SENATE LIBERALS

The Honourable Joseph A. Day

OFFICERS OF THE SENATE

CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS

Charles Robert

LAW CLERK AND PARLIAMENTARY COUNSEL

Michel Patrice

USHER OF THE BLACK ROD

J. Greg Peters

THE MINISTRY

(In order of precedence)

(May 2, 2017)

The Right Hon. Justin P. J. Trudeau	Prime Minister
The Hon. Ralph Goodale	Minister of Public Safety and Emergency Preparedness
The Hon. Lawrence MacAulay	Minister of Agriculture and Agri-Food
The Hon. Carolyn Bennett	Minister of Indigenous and Northern Affairs
The Hon. Scott Brison	President of the Treasury Board
The Hon. Dominic LeBlanc	Minister of Fisheries, Oceans and the Canadian Coast Guard
The Hon. Navdeep Singh Bains	Minister of Innovation, Science and Economic Development
The Hon. William Francis Morneau	Minister of Finance
The Hon. Jody Wilson-Raybould	Minister of Justice Attorney General of Canada
The Hon. Judy M. Foote	Minister of Public Services and Procurement
The Hon. Chrystia Freeland	Minister of Foreign Affairs
The Hon. Jane Philpott	Minister of Health
The Hon. Jean-Yves Duclos	Minister of Families, Children and Social Development
The Hon. Marc Garneau	Minister of Transport
The Hon. Marie-Claude Bibeau	Minister of International Development and La Francophonie
The Hon. James Gordon Carr	Minister of Natural Resources
The Hon. Mélanie Joly	Minister of Canadian Heritage
The Hon. Diane Lebouthillier	Minister of National Revenue
The Hon. Kent Hehr	Minister of Veterans Affairs Associate Minister of National Defence
The Hon. Catherine McKenna	Minister of Environment and Climate Change
The Hon. Harjit Singh Sajjan	Minister of National Defence
The Hon. Amarjeet Sohi	Minister of Infrastructure and Communities
The Hon. Maryam Monsef	Minister of Status of Women
The Hon. Carla Qualtrough	Minister of Sport and Persons with Disabilities
The Hon. Kirsty Duncan	Minister of Science
The Hon. Patricia A. Hajdu	Minister of Employment, Workforce Development and Labour
The Hon. Bardish Chagger	Leader of the Government in the House of Commons Minister of Small Business and Tourism
The Hon. François-Philippe Champagne	Minister of International Trade
The Hon. Karina Gould	Minister of Democratic Institutions
The Hon. Ahmed Hussen	Minister of Immigration, Refugees and Citizenship

SENATORS OF CANADA

ACCORDING TO SENIORITY

(May 2, 2017)

Senator	Designation	Post Office Address
The Honourable		
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujjuaq, Que.
Colin Kenny	Rideau	Ottawa, Ont.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
George J. Furey, *Speaker*	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario—Toronto	Toronto, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Stephen Greene	Halifax-The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
Nicole Eaton	Ontario	Caledon, Ont.
Pamela Wallin	Saskatchewan	Wadena, Sask.
Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.
Yonah Martin	British Columbia	Vancouver, B.C.
Richard Neufeld	British Columbia	Fort St. John, B.C.
Daniel Lang	Yukon	Whitehorse, Yukon
Patrick Brazeau	Repentigny	Maniwaki, Que.
Leo Housakos	Wellington	Laval, Que.
Donald Neil Plett	Landmark	Landmark, Man.
Linda Frum	Ontario	Toronto, Ont.
Claude Carignan, P.C.	Mille Isles	Saint-Eustache, Que.
Jacques Demers	Rigaud	Hudson, Que.
Carolyn Stewart Olsen	New Brunswick	Sackville, N.B.
Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning, N.S.
Dennis Glen Patterson	Nunavut	Iqaluit, Nunavut
Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.
Elizabeth Marshall	Newfoundland and Labrador	Paradise, Nfld. & Lab.
Pierre-Hugues Boisvenu	La Salle	Sherbrooke, Que.
Judith G. Seidman	De la Durantaye	Saint-Raphaël, Que.
Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.
Salma Ataullahjan	Ontario—Toronto	Toronto, Ont.

Senator	Designation	Post Office Address
Don Meredith	Ontario	Richmond Hill, Ont.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Larry W. Smith	Saurel	Hudson, Que.
Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.
Betty E. Unger	Alberta	Edmonton, Alta.
Norman E. Doyle	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ghislain Maltais	Shawinegan	Quebec City, Que.
Jean-Guy Dagenais	Victoria	Blainville, Que.
Vernon White	Ontario	Ottawa, Ont.
Paul E. McIntyre	New Brunswick	Charlo, N.B.
Thomas Johnson McInnis	Nova Scotia	Sheet Harbour, N.S.
Tobias C. Enverga, Jr.	Ontario	Toronto, Ont.
Thanh Hai Ngo	Ontario	Orleans, Ont.
Diane Bellemare	Alma	Outremont, Que.
Douglas John Black	Alberta	Canmore, Alta.
David Mark Wells	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Lynn Beyak	Ontario	Dryden, Ont.
Victor Oh	Mississauga	Mississauga, Ont.
Denise Leanne Batters	Saskatchewan	Regina, Sask.
Scott Tannas	Alberta	High River, Alta.
Peter Harder, P.C.	Ottawa	Manotick, Ont.
Raymonde Gagné	Manitoba	Winnipeg, Man.
Frances Lankin, P.C.	Ontario	Restoule, Ont.
Ratna Omidvar	Ontario	Toronto, Ont.
Chantal Petitclerc	Grandville	Montéal, Que.
André Pratte	De Salaberry	Saint-Lambert, Que.
Murray Sinclair	Manitoba	Winnipeg, Man.
Yuen Pau Woo	British Columbia	North Vancouver, B.C.
Patricia Bovey	Manitoba	Winnipeg, Man.
René Cormier	New Brunswick	Caraquet, N.B.
Nancy Hartling	New Brunswick	Riverview, N.B.
Kim Pate	Ontario	Ottawa, Ont.
Tony Dean	Ontario	Toronto, Ont.
Diane Griffin	Prince Edward Island	Stratford, P.E.I.
Wanda Thomas Bernard	East Preston, Nova Scotia	East Preston, N.S.
Sarabjit S. Marwah	Ontario	Toronto, Ont.
Howard Wetston	Ontario	Toronto, Ont.
Lucie Moncion	Ontario	North Bay, Ont.
Renée Dupuis	The Laurentides	Sainte-Pétronille, Que.
Marilou McPhedran	Manitoba	Winnipeg, Man.
Gwen Boniface	Ontario	Orillia, Ont.
Éric Forest	Gulf	Rimouski, Que.
Marc Gold	Stadacona	Westmount, Que.
Marie-Françoise Mégie	Rougemont	Montréal, Que.
Raymonde Saint-Germain	De la Vallière	Quebec City, Que.
Daniel Christmas	Nova Scotia	Membertou, N.S.
Rosa Galvez	Bedford	Lévis, Que.

SENATORS OF CANADA

ALPHABETICAL LIST

(May 2, 2017)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Ataullahjan, Salma	Ontario—Toronto	Toronto, Ont.	Conservative
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Batters, Denise Leanne	Saskatchewan	Regina, Sask.	Conservative
Bellemare, Diane	Alma	Outremont, Que.	Independent
Bernard, Wanda Thomas	Nova Scotia	East Preston, N.S.	Independent Senators Group
Beyak, Lynn	Ontario	Dryden, Ont.	Conservative
Black, Douglas John.	Alberta	Canmore, Alta.	Independent Senators Group
Boisvenu, Pierre-Hugues	La Salle	Sherbrooke, Que.	Conservative
Boniface, Gwen	Ontario	Orillia, Ont.	Independent Senators Group
Bovey, Patricia	Manitoba	Winnipeg, Man.	Independent Senators Group
Brazeau, Patrick	Repentigny	Maniwaki, Que.	Independent Senators Group
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Independent Senators Group
Carignan, Claude, P.C.	Mille Isles	Saint-Eustache, Que.	Conservative
Christmas, Daniel.	Nova Scotia	Membertou, N.S.	Independent Senators Group
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Independent Senators Group
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cormier, René	New Brunswick	Caraquet, N.B.	Independent Senators Group
Dagenais, Jean-Guy	Victoria	Blainville, Que.	Conservative
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
Dean, Tony	Ontario	Toronto, Ont.	Independent Senators Group
Demers, Jacques	Rigaud	Hudson, Que.	Independent Senators Group
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Liberal
Doyle, Norman E.	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative
Duffy, Michael.	Prince Edward Island	Cavendish, P.E.I.	Independent Senators Group
Dupuis, Renée	The Laurentides	Sainte-Pétronille, Que.	Independent Senators Group
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Liberal
Eaton, Nicole.	Ontario	Caledon, Ont.	Conservative
Eggleton, Art, P.C.	Ontario—Toronto	Toronto, Ont.	Liberal
Enverga, Tobias C., Jr.	Ontario	Toronto, Ont.	Conservative
Forest, Éric	Gulf	Rimouski, Que.	Independent Senators Group
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Frum, Linda	Ontario	Toronto, Ont.	Conservative
Furey, George, *Speaker*	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Independent
Gagné, Raymonde	Manitoba	Winnipeg, Man.	Independent Senators Group
Galvez, Rosa	Bedford	Lévis, Que.	Independent Senators Group
Gold, Marc	Stadacona	Westmount, Que.	Independent Senators Group
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Conservative
Griffin, Diane	Prince Edward Island	Stratford, P.E.I.	Independent Senators Group
Harder, Peter, P.C.	Ottawa	Manotick, Ont.	Independent
Hartling, Nancy	New Brunswick	Riverview, N.B.	Independent Senators Group
Housakos, Leo	Wellington	Laval, Que.	Conservative
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Lang, Daniel	Yukon	Whitehorse, Yukon	Conservative
Lankin, Frances	Ontario	Restoule, Ont.	Independent Senators Group
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative
Maltais, Ghislain	Shawinegan	Quebec City, Que.	Conservative
Manning, Fabian	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.	Conservative
Marshall, Elizabeth	Newfoundland and Labrador	Paradise, Nfld. & Lab.	Conservative
Martin, Yonah	British Columbia	Vancouver, B.C.	Conservative
Marwah, Sarabjit S.	Ontario	Toronto, Ont.	Independent Senators Group

Senator	Designation	Post Office Address	Political Affiliation
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Independent Senators Group
McInnis, Thomas Johnson	Nova Scotia	Sheet Harbour, N.S.	Conservative
McIntyre, Paul E.	New Brunswick	Charlo, N.B.	Conservative
McPhedran, Marilou	Manitoba	Winnipeg, Man.	Independent Senators Group
Mégie, Marie-Françoise	Rougemont	Montréal, Que.	Independent Senators Group
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Meredith, Don	Ontario	Richmond Hill, Ont.	Independent
Mitchell, Grant	Alberta	Edmonton, Alta.	Independent
Mockler, Percy	New Brunswick	St. Leonard, N.B.	Conservative
Moncion, Lucie	Ontario	North Bay, Ont.	Independent Senators Group
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Neufeld, Richard	British Columbia	Fort St. John, B.C.	Conservative
Ngo, Thanh Hai	Ontario	Orleans, Ont.	Conservative
Ogilvie, Kelvin Kenneth	Annapolis Valley - Hants	Canning, N.S.	Conservative
Oh, Victor	Mississauga	Mississauga, Ont.	Conservative
Omidvar, Ratna	Ontario	Toronto, Ont.	Independent Senators Group
Pate, Kim	Ontario	Ottawa, Ont.	Independent Senators Group
Patterson, Dennis Glen	Nunavut	Iqaluit, Nunavut	Conservative
Petitclerc, Chantal	Grandville	Montréal, Que.	Independent Senators Group
Plett, Donald Neil	Landmark	Landmark, Man.	Conservative
Poirier, Rose-May	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent, N.B.	Conservative
Pratte, André	De Salaberry	Saint-Lambert, Que.	Independent Senators Group
Raine, Nancy Greene	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.	Conservative
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Independent Senators Group
Runciman, Bob	Ontario—Thousand Islands and Rideau Lakes	Brockville, Ont.	Conservative
Saint-Germain, Raymonde	De la Vallière	Quebec City, Que.	Independent Senators Group
Seidman, Judith G.	De la Durantaye	Saint-Raphaël, Que.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Independent
Sinclair, Murray	Manitoba	Winnipeg, Man.	Independent Senators Group
Smith, Larry W.	Saurel	Hudson, Que.	Conservative
Stewart Olsen, Carolyn	New Brunswick	Sackville, N.B.	Conservative
Tannas, Scott	Alberta	High River, Alta.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Unger, Betty E.	Alberta	Edmonton, Alta.	Conservative
Verner, Josée, P.C.	Montarville	Saint-Augustin-de-Desmaures, Que.	Independent
Wallin, Pamela	Saskatchewan	Wadena, Sask.	Independent Senators Group
Watt, Charlie	Inkerman	Kuujjuaq, Que.	Liberal
Wells, David Mark	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Conservative
Wetston, Howard	Ontario	Toronto, Ont.	Independent Senators Group
White, Vernon	Ontario	Ottawa, Ont.	Conservative
Woo, Yuen Pau	British Columbia	North Vancouver, B.C.	Independent Senators Group

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(May 2, 2017)

ONTARIO—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Anne C. Cools	Toronto Centre-York	Toronto
2	Colin Kenny	Rideau	Ottawa
3	Jim Munson	Ottawa/Rideau Canal	Ottawa
4	Art Eggleton, P.C.	Ontario—Toronto	Toronto
5	Nicole Eaton	Ontario	Caledon
6	Linda Frum	Ontario	Toronto
7	Bob Runciman	Ontario—Thousand Islands and Rideau Lakes	Brockville
8	Salma Ataullahjan	Ontario—Toronto	Toronto
9	Don Meredith	Ontario	Richmond Hill
10	Vernon White	Ontario	Ottawa
11	Tobias C. Enverga, Jr.	Ontario	Toronto
12	Thanh Hai Ngo	Ontario	Orleans
13	Lynn Beyak	Ontario	Dryden
14	Victor Oh	Mississauga	Mississauga
15	Peter Harder, P.C.	Ottawa	Manotick
16	Frances Lankin, P.C.	Ontario	Restoule
17	Ratna Omidvar	Ontario	Toronto
18	Kim Pate	Ontario	Ottawa
19	Tony Dean	Ontario	Toronto
20	Sarabjit S. Marwah	Ontario	Toronto
21	Howard Wetston	Ontario	Toronto
22	Lucie Moncion	Ontario	North Bay
23	Gwen Boniface	Ontario	Orillia
24			

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

	Senator	Designation	Post Office Address
	The Honourable		
1	Charlie Watt	Inkerman	Kuujjuaq
2	Serge Joyal, P.C.	Kennebec	Montreal
3	Joan Thorne Fraser	De Lorimier	Montreal
4	Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
5	Dennis Dawson	Lauzon	Ste-Foy
6	Patrick Brazeau	Repentigny	Maniwaki
7	Leo Housakos	Wellington	Laval
8	Claude Carignan, P.C.	Mille Isles	Saint-Eustache
9	Jacques Demers	Rigaud	Hudson
10	Judith G. Seidman	De la Durantaye	Saint-Raphaël
11	Pierre-Hugues Boisvenu	La Salle	Sherbrooke
12	Larry W. Smith	Saurel	Hudson
13	Josée Verner, P.C.	Montarville	Saint-Augustin-de-Desmaures
14	Ghislain Maltais	Shawinegan	Quebec City
15	Jean-Guy Dagenais	Victoria	Blainville
16	Diane Bellemare	Alma	Outremont
17	Chantal Petitclerc	Grandville	Montréal
18	André Pratte	De Salaberry	Saint-Lambert
19	Renée Dupuis	The Laurentides	Sainte-Pétronille
20	Éric Forest	Gulf	Rimouski
21	Marc Gold	Stadacona	Westmount
22	Marie-Françoise Mégie	Rougemont	Montréal
23	Raymonde Saint-Germain	De la Vallière	Quebec City
24	Rosa Galvez	Bedford	Lévis

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Jane Cordy	Nova Scotia	Dartmouth
2	Terry M. Mercer	Northend Halifax	Caribou River
3	Stephen Greene	Halifax - The Citadel	Halifax
4	Michael L. MacDonald	Cape Breton	Dartmouth
5	Kelvin Kenneth Ogilvie	Annapolis Valley - Hants	Canning
6	Thomas Johnson McInnis	Nova Scotia	Sheet Harbour
7	Wanda Thomas Bernard	East Preston, Nova Scotia	East Preston
8	Daniel Christmas	Nova Scotia	Membertou
9			
10			

NEW BRUNSWICK—10

	Senator	Designation	Post Office Address
	The Honourable		
1	Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
2	Pierrette Ringuette	New Brunswick	Edmundston
3	Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
4	Percy Mockler	New Brunswick	St. Leonard
5	Carolyn Stewart Olsen	New Brunswick	Sackville
6	Rose-May Poirier	New Brunswick—Saint-Louis-de-Kent	Saint-Louis-de-Kent
7	Paul E. McIntyre	New Brunswick	Charlo
8	René Cormier	New Brunswick	Caraquet
9	Nancy Hartling	New Brunswick	Riverview
10			

PRINCE EDWARD ISLAND—4

	Senator	Designation	Post Office Address
	The Honourable		
1	Elizabeth M. Hubley	Prince Edward Island	Kensington
2	Percy E. Downe	Charlottetown	Charlottetown
3	Michael Duffy	Prince Edward Island	Cavendish
4	Diane Griffin	Prince Edward Island	Stratford

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Donald Neil Plett	Landmark	Landmark
2	Raymonde Gagné	Manitoba	Winnipeg
3	Murray Sinclair	Manitoba	Winnipeg
4	Patricia Bovey	Manitoba	Winnipeg
5	Marilou McPhedran	Manitoba	Winnipeg
6			

BRITISH COLUMBIA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Mobina S. B. Jaffer	British Columbia	North Vancouver
2	Larry W. Campbell	British Columbia	Vancouver
3	Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks
4	Yonah Martin	British Columbia	Vancouver
5	Richard Neufeld	British Columbia	Fort St. John
6	Yuen Pau Woo	British Columbia	North Vancouver

SASKATCHEWAN—6

	Senator	Designation	Post Office Address
	The Honourable		
1	A. Raynell Andreychuk	Saskatchewan	Regina
2	David Tkachuk	Saskatchewan	Saskatoon
3	Lillian Eva Dyck	Saskatchewan	Saskatoon
4	Pamela Wallin	Saskatchewan	Wadena
5	Denise Leanne Batters	Saskatchewan	Regina
6			

ALBERTA—6

	Senator	Designation	Post Office Address
	The Honourable		
1	Claudette Tardif	Alberta	Edmonton
2	Grant Mitchell	Alberta	Edmonton
3	Elaine McCoy	Alberta	Calgary
4	Betty E. Unger	Alberta	Edmonton
5	Douglas John Black	Alberta	Canmore
6	Scott Tannas	Alberta	High River

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

	Senator	Designation	Post Office Address
	The Honourable		
1	George Furey, *Speaker*	Newfoundland and Labrador	St. John's
2	George S. Baker, P.C.	Newfoundland and Labrador	Gander
3	Elizabeth Marshall	Newfoundland and Labrador	Paradise
4	Fabian Manning	Newfoundland and Labrador	St. Bride's
5	Norman E. Doyle	Newfoundland and Labrador	St. John's
6	David Wells	Newfoundland and Labrador	St. John's

NORTHWEST TERRITORIES—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Dennis Glen Patterson	Nunavut	Iqaluit

YUKON—1

	Senator	Designation	Post Office Address
	The Honourable		
1	Daniel Lang	Yukon	Whitehorse

CONTENTS

Tuesday, May 2, 2017

PAGE

SENATORS' STATEMENTS

ROUTINE PROCEEDINGS

PAGE

QUESTION PERIOD

ORDERS OF THE DAY

QUESTION PERIOD

ORDERS OF THE DAY

Published by the Senate

Available on the Internet: http://www.parl.gc.ca