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OFFICIAL REPORT  
(HANSARD)

Tuesday, February 14, 2017

The Honourable GEORGE J. FUREY  
Speaker

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## THE SENATE

Tuesday, February 14, 2017

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

Prayers.

[Translation]

### SENATORS' STATEMENTS

#### *LE MYTHE DE NAPOLEON AU CANADA FRANÇAIS*

**Hon. Claudette Tardif:** Honourable senators, to add to Senator MacIntyre's accolades of last Thursday, I, too, wish to acknowledge the extraordinary work of our colleague Senator Joyal and congratulate him on his considerable recent accomplishments.

First, the commemorative symposium on the Great War held in the Senate of Canada on November 11, 2014, and then at the National Assembly in Paris in May 2015 was brilliantly organized and supervised by our colleague, and was met with great success. Then came the voluminous and extensively illustrated book entitled *Le Canada et la France dans la Grande Guerre 1914-1918*, which the symposium's participants worked on under the direction of Senator Joyal and Professor Serge Bernier. It is a collection rich in historical details of little known moments in the history of French Canada's participation in the Great War. This unique book is set to be released in March 2017.

A second book, *Le mythe de Napoléon au Canada français*, published in 2013, is a well-researched historical work filled with details and beautiful illustrations. The research and the connections this book makes between Napoleon and important moments in French-Canadian and Quebec's history brings the myth of Napoleon back to life.

On January 31, I attended a viewing of the documentary *Le mythe de Napoléon au Canada français* and was quite impressed. The film is based on Senator Joyal's book. It was produced by Daniel Bertolino and Catherine Viau, and inspired by the vision and direction of our colleague, who is the main character. It is a work of exceptional depth. Will he be awarded a Genie or a César? Stay tuned. The documentary will soon be broadcast on RDI/Radio-Canada as part of *Les grands reportages*.

In addition, dear colleagues, a coffee-table book in honour of Montreal's three hundred seventy-fifth anniversary entitled *Traces de l'histoire de Montréal* was launched on February 2. The book covers many aspects of Montreal's history. Senator Joyal and his co-authors, Paul-André Linteau and Mario Robert, deserve our hearty congratulations.

Honourable senators, it is important to celebrate Senator Joyal's remarkable achievements. We are privileged to have among us a very learned individual whose work has had a lasting

impact on our society. In fact, on November 2, 2016, the Barreau du Québec awarded him the honorary distinction of emeritus lawyer in recognition of his exceptional legal career.

My dear colleague, I admire your passion and your dedication to perpetuating cherished values and knowledge in the areas of culture, history and the law. Thank you, and congratulations on the tremendous work you've done.

[English]

#### THE LATE LLOYD SWICK

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Honourable senators, I rise today to pay tribute to a friend and true Canadian hero, the late Lloyd Allan Swick, who passed away at the age of 94 on January 14, 2017.

During the Second World War, Lloyd was an officer in the Calgary Highlanders. He served his country, leading men into battle as a company commander. Following the war, Lloyd completed a bachelor of science degree at the University of Manitoba. Upon graduation, he re-enlisted in the army, joining the Princess Patricia's Canadian Light Infantry. He commanded a company of paratroopers in Korea with the first battalion. In his career with the PPCLI, he was stationed across Canada and served in Haiti, India and Pakistan as a peacekeeper.

At the end of his military career, he entered the public service — National Defence, Environment Canada and the Emergency Preparedness Department — where he continued to help others and share his passion for science. His service to others never ceased, and in 2005 he was awarded a Minister of Veterans Affairs Commendation for his good work, particularly with The Perley and Rideau Veterans' Health Centre, which he last visited in December of 2016 to accompany the carollers bringing Christmas cheer and gifts to the residents.

I first met Lloyd at the Last Hurrah ceremony in Winnipeg, a gathering of hundreds of his fellow Korean War veterans of Canada, the United States and a few from overseas. There he showed me a PowerPoint he had prepared about a very special project called The Animals in War Memorial. At the end of this very powerful and emotionally charged presentation about millions of animals that had died in various wars and conflicts in their servitude to their masters, Lloyd looked at me with his twinkling green eyes and broad smile and said, "So will you help me?"

With a "yes," there began a wonderful friendship that also led to an impromptu push-up competition at the officers' mess and a working relationship which, with the support of Laureen Harper, as Honorary Patron, and Drs. Peter and Stephanie Chung and many other generous donors, led to the successful establishment of The Animals in War Memorial.

On November 3, 2012, it was officially declared by the City of Ottawa as Animals in War Day. I was swept up in emotion as I sat next to Lloyd on that momentous day. He was smiling ear to ear with tears in his eyes as the memorial was unveiled and doves were released into the clear blue sky. The monument stands in Confederation Park as a part of Lloyd's legacy.

Of all the accomplishments in his life, none made him more proud than being a husband to the love of his life, Doris, and an adoring father to his five girls: Lana, Gwen, Alison, Patricia and Brenda. Lloyd loved his family and always had a story to tell you about one of their many adventures. He loved Canada and made sure that he and Doris travelled from coast to coast with their girls.

I can hear him singing:

It's a long way to Tipperary,  
It's a long way to go.  
It's a long way to Tipperary  
To the sweetest girl I know!

Rest in peace, good soldier. You are home once again in the arms of your one and only love, Doris.

### HAVE A HEART DAY

**Hon. Kim Pate:** Honourable senators, I rise today to recognize and thank indigenous and Canadian youth who are speaking up against inequality and courageously demanding better for young people everywhere. Today, in addition to being Valentine's Day, is Have a Heart Day.

Have a Heart Day is a youth-led campaign that was initiated by the First Nations Child & Family Caring Society of Canada. This morning, over 600 indigenous and non-indigenous youth and children from across Ottawa gathered on the steps of Parliament Hill, and similar gatherings occurred all across the country in 60 other locations.

Have a Heart Day invites people of all ages to learn about and engage in respectful actions to promote the rights of First Nations children. The purpose is to celebrate love and advocate fairness for First Nations children. All First Nations children deserve a fair chance to grow up at home with access to quality education and to be healthy and proud of their identity.

• (1410)

During this event, the students read letters and shared songs calling on the Prime Minister, the government and all Canadians to have a heart for First Nations children and to ensure that they enjoy the equality to which they are entitled. Have a Heart Day is creating a landscape of honour and possibility for indigenous children in Canada.

The first five of the Truth and Reconciliation Commission's 94 Calls to Action specifically address the inequalities that indigenous children face in the child welfare system. It is a

reality that there are now more children in the child welfare system than there ever were at any time in residential schools.

The First Nations Child & Family Caring Society and the Assembly of First Nations filed a human rights complaint with the Canadian Human Rights Commission in 2007. The landmark ruling of the Canadian Human Rights Tribunal was released in January 2016. The Canadian Human Rights Tribunal found that the government discriminates against First Nations children and their families by providing flawed and inequitable child welfare services under Indigenous and Northern Affairs Canada and the First Nations Child and Family Services Program. The tribunal ordered Canada to end its discrimination towards First Nations children.

Canada has not complied with the orders. The government's refusal to implement Jordan's Principle, a child-first principle that governs the provision of services to First Nations children, means that too many indigenous children continue to be denied equitable access to government services that are available to non-indigenous children.

There will be a hearing set for March 22, 23 and 24 of this year for further motions regarding Canada's non-compliance.

Last year, Daxton Rhead, a Grade 10 student from Glebe Collegiate, said:

Next year for Have a Heart Day, I want to be here celebrating Indigenous culture, not demanding that basic human rights be met.

Honourable colleagues, I commend Daxton and all youth, especially those gathered here today, for calling on all of us to end this inequality, and I trust that all of you will join us when we are celebrating this new decision soon.

### SALLY SIMPSON

#### 150 INDIGENOUS FEMALE FIRSTS

**Hon. Lillian Eva Dyck:** Honourable senators, I would like to congratulate Sally Simpson for the creation of the 150 Indigenous Female Firsts. While attending an indigenous studies class at Wilfrid Laurier University, Sally noticed that there was no list of the achievements of indigenous women, so she decided to compile one.

As 2017 is Canada's one hundred fiftieth birthday, she decided to create the 150 Indigenous Female Firsts list. The list includes Elizabeth Steinhauer, a Cree woman who became the first indigenous female doctor in Canada in 1980.

The first indigenous female dentist was Mary Jane McCallum, also a Cree woman, in 1990.

The first indigenous female member of Parliament was Ethel Blondin, a Dene woman who took her seat in 1998.

Eloise Knott became the first indigenous female chief in 1954. She was the Chief of Curve Lake First Nation in Ontario.

Buffy Sainte-Marie was not only the first indigenous woman to win an Oscar in 1983; she was the first indigenous person to win an Oscar. She won the award for the song “Up Where We Belong.”

Marion Ironquill Meadmore, an Ojibwe-Cree, became the first indigenous female lawyer in 1977.

The first indigenous female provincial court judge was Justice Terry Vyse in 1991.

The first indigenous female senator was Thelma Chalifoux, a Metis woman, in 1997.

The one hundred fiftieth indigenous female on the list is Akina Shirt, a 13-year-old girl who in 2007 sang the Canadian national anthem in Cree for the first time at an NHL game that aired on “Hockey Night in Canada.”

Colleagues, Sally Simpson has a message for all Canadians, especially in Canada’s one hundred fiftieth year. She says:

You too can make a difference, become an advocate, become part of positive change and join me in acknowledging these amazing women. Together we can raise awareness and celebrate our 150 Indigenous Female Firsts.

I, too, would like to encourage all senators and all Canadians to become part of this positive change and join me in acknowledging and celebrating these amazing indigenous women throughout this special year, Canada’s one hundred fiftieth birthday.

## NUNAVUT

### TMAC RESOURCES—HOPE BAY PROJECT

**Hon. Dennis Glen Patterson:** Honourable senators, today I have the great pleasure of announcing that on February 9, Nunavut’s newest gold mine, TMAC Resources’ Hope Bay project, successfully poured its first bar of gold.

TMAC’s operation is Nunavut’s third operating mine after Baffinland’s Mary River iron ore mine and Agnico Eagle’s Meadowbank gold mine. Hope Bay is located in Nunavut’s western region, known as the Kitikmeot region, at 68 degrees north latitude, about 160 kilometres above the Arctic Circle in the Coronation Gulf. I had the good fortune of visiting that region last week, where I took part in the Kitikmeot Trade Show.

Many of you know that since my appointment to the Senate in 2009, I have always been a fierce supporter of responsible development as a means of providing economic opportunities to Inuit and Nunavummiut. It has been my belief that Inuit should be allowed to reap the maximum benefit of the rich lands they own and manage, as well as Crown lands, adapting the economy to balance strong economic growth with environmental

protection. Jobs are what Nunavut needs to support its growing population, and the revenue from these economic opportunities and business ventures will go on to fund important social and cultural programs in the territories.

The Kitikmeot has been a shining example of what can be achieved with strong and visionary leadership. At the trade show, I was given the opportunity to speak at their gala dinner, and I used that opportunity to laud the achievements of Kitikmeot Inuit Association President Stanley Anablak, Nunavut Resources Corporation President Dr. Charlie Evalik, Charlie Lyall, and many other regional leaders who have consistently displayed a committed and innovative approach to economic growth.

I also lauded their success in negotiating an impressive Inuit Impact and Benefit Agreement with TMAC Resources, including securing an ownership stake in the company in addition to the regular royalty payments.

In Nunavut we see a unique example of what a true relationship between the indigenous peoples of Canada and the government can look like. This project, like all projects in Nunavut, was subject to scrutiny under Nunavut’s important and Inuit-driven regulatory regime.

This achievement comes at an important time for Nunavut. According to StatsCanada’s Labour Force Survey, Nunavut has the highest unemployment rate of all three territories, with 12.5 per cent of able-bodied Nunavummiut out of work. To put that number into perspective, the national average as of January 2017 is 6.8 per cent; 49 per cent of Nunavut residents receive welfare; 70 per cent of households are considered food insecure; and over half the population lives in social housing.

Honourable senators, the need to create well-paying, steady jobs is of vital importance to my home territory, so I am thrilled that TMAC has completed construction of their mill and has been able to pour their first brick. I would like to congratulate their leadership, CEO Catharine Farrow, President Gord Morrison and to the entire Hope Bay team for achieving this, while always being mindful and respectful of the Inuit and their lands. Developments such as this are what will make Nunavut and Canada stronger, bringing much-needed jobs, prosperity and independence to a remote yet thriving region in our great country.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Karen Cunningham, Wayne McBean, Myles McBean, Camelita Attong Sitahal, Al Baksh and Michelle Meredith. They are community leaders visiting Parliament Hill to mark Black History Month and are the guests of the Honourable Senator Meredith.

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

**Hon. Senators:** Hear, hear!

[Translation]

## ROUTINE PROCEEDINGS

### THE ESTIMATES, 2016-17

#### SUPPLEMENTARY ESTIMATES (C) TABLED

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I have the honour to table, in both official languages, the Supplementary Estimates (C) for the fiscal year ending March 31, 2017.

#### NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY SUPPLEMENTARY ESTIMATES (C)

**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 the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Supplementary Estimates (C) for the fiscal year ending March 31, 2017.

• (1420)

[English]

### PARLAMERICAS

#### BOARD OF DIRECTORS MEETING AND PLENARY ASSEMBLY, DECEMBER 5-7, 2016—REPORT TABLED

**Hon. Mobina S.B. Jaffer:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the ParlAmericas respecting its participation at the Forty-First Board of Directors Meeting and the Thirteenth Plenary Assembly, held in Mexico City, Mexico, from December 5 to 7, 2016.

### ABORIGINAL PEOPLES

#### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO DEPOSIT REPORT ON STUDY OF BEST PRACTICES AND ON-GOING CHALLENGES RELATING TO HOUSING IN FIRST NATION AND INUIT COMMUNITIES IN NUNAVUT, NUNAVIK, NUNATSIAVUT AND THE NORTHWEST TERRITORIES WITH CLERK OF THE SENATE

**Hon. Lillian Eva Dyck:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples be permitted, notwithstanding usual practices, to deposit with the Clerk of the Senate a report relating to its

study on best practices and on-going challenges relating to housing in First Nation and Inuit communities in Nunavut, Nunavik, Nunatsiavut and the Northwest Territories, and that the report be deemed to have been tabled in the Chamber.

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, pursuant to the motion adopted in this chamber, Thursday, February 9, 2017, Question Period will take place at 3:30 p.m.

My understanding today, honourable senators, is that there will be votes in the House of Commons around 3:30 and that the minister may be late, so with the consent of the chamber, we will continue on with the Orders of the Day until the minister is ready. Is it agreed, honourable senators?

**Hon. Senators:** Agreed.

[Translation]

## ORDERS OF THE DAY

### CANADA LABOUR CODE

#### BILL TO AMEND—THIRD READING—DEBATE SUSPENDED

**Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate)** moved third reading of Bill C-4, An Act to amend the Canada Labour Code, the Parliamentary Employment and Staff Relations Act, the Public Service Labour Relations Act and the Income Tax Act.

She said: Honourable senators, I ask you to promptly pass Bill C-4. As you know, this bill repeals two union-related bills introduced by MPs and passed during the last session of the Forty-first Parliament. These two private members' bills, Bill C-377 and Bill C-525, would never have been passed or even introduced as they were drafted, if they had been government bills.

[English]

The reason is simple. Both bills were unworthy of being government legislation.

[Translation]

These two bills made amendments to important parameters of the legislation on unions, without any advance consultation of stakeholders or a careful analysis by the Department of Justice.

[English]

As described by Warren Newman, Senior General Counsel, Constitutional and Administrative Law Section of the Department of Justice Canada:

When government proposes policy, there's a whole internal process leading to cabinet consideration and then recommendations on the part of cabinet members, the cabinet as a whole, instructing the Minister of Justice and the Department of Justice to draft legislation in accordance with the policy put forward.

When private members' bills come forward, they don't evidently go through the same process. Sometimes provisions that are presented in private members' bills, which superficially might seem to integrate with the overall legislative scheme, in reality can cause these inconvenient by-products of rules that are not necessarily thought through in terms of the overall scheme.

Mr. Newman continues further on, just last week in the last committee study of the bill:

That is a difficulty we run into when legislation is proposed in this way.

That's not to say there aren't good measures that come forth through private members' bills. Many have been enacted and are an integral part of our statute law, but it is a different process.

The result of this process is that one bill, Bill C-377, called the disclosure bill, is more than likely unconstitutional as seven provinces said that it infringes on their jurisdiction and is not Charter-compliant.

On the other hand, Bill C-525, the secret ballot bill, contains errors and has not followed the appropriate consultative process that government legislation usually receives. Both of these bills were strongly opposed by the unions and did raise concerns for many groups besides unions, even employers' associations.

[Translation]

I will reiterate that Bill C-377 is more than likely unconstitutional and will be challenged before the courts if Bill C-4 is not passed. According to what was said by the Privacy Commissioner of Canada when the bill was debated in 2015, Bill C-377 also constitutes an attack on privacy.

As for Bill C-525, unions and employers were not consulted on the bill before it was introduced. Also, the bill compromises the tripartite labour relations system at the federal level, but I will come back to that.

In fact, the sponsors of these two bills do not hold unions in very high regard. For instance, during his speech at second reading of Bill C-525, MP Calkins said the following, and I quote:

We also know that unions are driven by the need for power. They are furnished with a never-ending stream of monies through the dues they collect from those hard-working employees they claim to represent.

He then went on to say:

The voice of workers is being trumped by the personal desire of union bosses and organizers. Democracy should not be about suppression.

The two Conservative members who introduced these bills had the strong support of organizations like Labour Watch and Merit Canada, which are well known for not liking unions very much. In fact, Labour Watch's primary mission is to prevent unionization and help employees cancel union certification.

[English]

In fact, those two private members' bills were explicitly supported by anti-union organizations and tacitly supported by the government of the day. If you look at the votes, those bills were adopted by the Conservative majority in both houses, with some dissents among Conservative senators. They were strongly opposed by the Liberals and the New Democrats.

What is the real intent behind those two private members' bills that Bill C-4 wants to abrogate? In fact, the purpose of these laws, as well explained by Senator Fraser in her speech in second reading for Bill C-525, was to weaken the unions.

[Translation]

Underscoring the fact that changes to the Canada Labour Code have traditionally been the subject of proper consultation and consensus, Senator Fraser said, and I quote:

No such consensus has been achieved or even sought on [Bill C-525]. As for demonstrating need, the only need I see is the government's need to diminish the importance of unions in our society. I do not see that as one of the noble goals Parliament should espouse.

• (1430)

[English]

What is the intent now of Bill C-4? The intent of Bill C-4 is to recognize the importance of establishing good labour relations practice in Canada by restoring balance between employers and unions. In fact, the intent of this bill is to further the future and the stability of labour relations in Canada.

Colleagues, I can predict that if Bill C-377 and Bill C-525 had been in front of the present Senate, and not the Senate of the last legislature, they would not be laws today. Indeed, they don't pass the test of sound legislation and don't further the public interest. They were passed because the last government wanted it to be passed.

In 2014, I outlined in a speech before this house what appears to me the minimum reasonable questions a senator should ask him



or herself to determine his or her vote in an independent manner. Briefly, they are as follows:

[*Translation*]

Is the bill constitutional? Does it respect provincial jurisdiction and the Canadian Charter of Rights and Freedoms? Is it in keeping with international treaties and agreements ratified by Canada? Is it detrimental to a minority, a distinct group or a vulnerable group? Will it have negative impacts on one or more provinces or territories? Was the bill the subject of appropriate consultations? Does it contain technical or translation errors?

I would add one more question given that this was discussed in the House of Lords and other upper houses around the world: Does the bill deliver on an election promise?

[*English*]

Clearly, Bill C-377 does not pass the test, and neither does Bill C-525.

Bill C-377, which forces unions to disclose various personal financial information online, is likely unconstitutional. Seven provinces have opposed it, seeing it as intruding on their jurisdiction. Their position was supported by the vast majority of legal experts who have appeared before the Senate since 2013. In their opinion, this bill is unconstitutional and violates privacy rights.

Bill C-525, the mandatory secret ballot bill which came into force in June 2015, made significant amendments to the union certification and decertification system. It makes secret ballots mandatory at all times and relaxes the conditions to revoke union certification. Bill C-525 may be constitutional, but since it amended the Labour Code, it should have been subjected to proper pre-consultation and deliberation by the parties involved. After all, Bill C-525 is about the rules surrounding a fundamental right recognized in the Constitution, the liberty of association, which is guaranteed in section 2 of the Canadian Charter of Rights and Freedoms. Those rules have important economic consequences on the creation and distribution of wealth. In fact, unions and employers have condemned the process followed.

[*Translation*]

In 2014, Federally Regulated Employers - Transportation and Communications, FETCO, condemned the process leading to the adoption of Bill C-525. This particular employers' association is the largest of its kind at the federal level. In 2014, FETCO representatives made the following statement to the Standing Senate Committee on Legal and Constitutional Affairs:

Notwithstanding FETCO's support of C-525, we want to express serious concerns that FETCO has regarding the process of using private members bills to amend the Canada Labour Code. . . . This critical tripartite pre-legislative consultation process is by-passed where changes to the Canada Labour Code are proposed through the mechanism of "one-off" private member's bills.

The use of private members' bills as a method of labour law reform tends to politicize labour relations. It will cause the pendulum to swing between labour law extremes and will create labour relations instability.

Honourable senators, I also want to point out to you that during review at second reading stage in the other place, before Bill C-525 was passed, this association of employers warned the members of the risk of endorsing the process.

On that matter, during her speech at second reading stage in 2014, Senator Fraser said —

[*English*]

Listen to Mr. John Farrell, executive director of the largest federal employer group, FETCO. He told the House of Commons committee:

We believe that the use of private members' bills sets the federal jurisdiction on a dangerous course, where, without adequate consultation or support, unnecessary or unworkable proposals come into law, and the balance, which is so important to the stability of labour relations, is upset. We strongly believe that it is not in the long-term best interests of Canadian employers and employees, and it has the potential to needlessly impact the economy by destabilizing the basic foundation of union-management relations.

That is the vice-president of the biggest employers association.

Recently, they repeated the argument. Let me quote Mr. Derrick Hynes, executive director of FETCO, who said recently, February 2, 2017, in the Standing Senate Committee on Legal and Constitutional Affairs, on the first point:

FETCO has consistently argued. . . that the process used to enact Bill C-525 was inappropriate. Bill C-525 brought in a revised certification and decertification process for all federally regulated organizations by the use of a private member's bill.

We talked about this yesterday, but I do want to repeat some of these points.

While we do not view the use of private members' bills as in any way undemocratic, but we do feel they should not be used for changes to the Canada Labour Code. For decades, a meaningful, tripartite, consultative mechanism has existed for such changes, where the three key stakeholders — government, labour and management — take a deliberate approach to changes under the code and its associated regulations by consulting extensively ahead of time.

Mr. Hynes continued by saying that under a government bill we tend to see —

. . . a greater degree of rigour is applied to the process. Committees tend to have access to research and analysis and can tap into key internal resources, such as expertise that exists within . . . government departments.

We have a system that works. Our suggestion is that we use it.

[Translation]

Honourable senators, to be perfectly candid, I presume that today's Senate, being more independent than it was in the past, would never have supported Bill C-525. In the more recent context of Bill C-29, the budget implementation bill, today's Senate expressed serious reservations about the lack of adequate consultation surrounding the financial consumer protection framework, which was an integral part of the budget.

In the interest of consistency, today's Senate would have adopted a similar position with regard to Bill C-525. Not being able to rely on adequate tripartite consultation, today's Senate would have defeated Bill C-525 before us.

During the last election campaign, the Liberals and the NDP promised to repeal Bills C-377 and C-525, but the current government quickly proceeded with the introduction of Bill C-4 in January 2016.

• (1440)

Dear colleagues, I invite you to vote for this government bill. Bill C-4 was passed in the other place by an overwhelming majority, three-quarters of the members. The Senate has no business opposing this government decision. The government decided to restore the balance between unions and employers that was struck at the last tripartite negotiations on the Labour Code. To oppose this decision by not passing Bill C-4 would be to meddle in labour relations. That is not our role.

[English]

The government decided to re-establish the proper balance between union and employers that existed before the adoption of those improper private members' bills. It is not legitimate for us to oppose the government on this matter. We are no specialists of labour relations. By deciding otherwise, we would confirm the use of dubious processes to change the Labour Code and would create instability in labour relations.

I invite you to vote for this government bill. It was widely supported in the other chamber. It was adopted at third reading in the other place by 204 MPs in favour and 79 against.

[Translation]

Before concluding, I would like to say a few words to those senators who are of the personal belief that mandatory secret ballots are always necessary for union certification.

[English]

For those who may think the mandatory secret ballot system at all times is better than the traditional system, I say that Bill C-4 is not about secret ballots; it is about stability in labour relations, and it is about recognizing that the tripartite system that exists in Canada in labour relations is the best way to establish the rules governing the relations between unions and employers.

[ Senator Bellemare ]

[Translation]

To those of you who may prefer the mandatory secret ballot, I would like to say that the traditional certification procedures that Bill C-4 restores also provide for secret ballots. The system is not as simplistic as it is made out to be.

The traditional system, known as the card-check system, also provides for a mandatory secret ballot when 35 to 50 per cent of employees purchase a union membership card. If the number of cards is more than 50 per cent plus one, a secret ballot is held at the discretion of the Labour Relations Board. Every time the board receives an application for certification, the labour relations officers verify with the card holders that they have signed these cards voluntarily. A file is opened for each new application and reviewed by a committee consisting of the president or vice-president of the Labour Relations Board, a full-time union member selected from the largest federal union, FETCO, and a permanent union member selected after consulting the CLC. It is this tripartite committee that approves the certification or revocation. There is nothing automatic about the process except for the fact that, after the tripartite committee confirms that the entire process was carried out properly, the panel must grant the certification if it has been shown that the membership cards were freely signed by a majority of employees.

Ms. Brazeau, chairperson of the Canada Industrial Relations Board, told us at a Senate committee meeting that, in the traditional system, 15 per cent of all applications result in a secret ballot vote.

[English]

So there is nothing automatic about the process of certification of unions with the card system. This system also provides for secret ballots. The system, which will be restored if the current Bill C-4 is enacted, provides that a secret ballot is mandatory when 35 to 55 per cent of employees sign a membership card. It also provides for a secret ballot vote if, after verifying with the cardholders, the Labour Relations Board deems it appropriate. The final decision about certification and decertification is made by a tripartite panel composed of the president or the VP and a full-time employer rep and a full-time union rep.

Ms. Brazeau, chair of the board, said of the past card system, in the last week or so in committee:

The board had in place a rigorous investigation process that involved the testing and verification of the membership evidence. In determining whether to grant a certification or revocation, the board would assess whether it was satisfied, given the facts of the case, whether a majority of the employees in the unit wished to be represented by a union. If there were questions for the board with respect to the membership evidence or the true wishes of the employees, the board could and did order votes in those cases. In fact, we held votes in approximately 15 per cent of all applications before the board.

At the end of the day, the board's role is to ensure that employees can express their wishes for or against union representation freely and without interference.

[Translation]

This tripartite system of certification was introduced when the Labour Code was amended in 1999.

As for the revocation of certification, the traditional system stipulates that an application that is supported by a majority of employees must be submitted to the Labour Relations Board, after which a secret vote can be held. Conversely, Bill C-525 relaxes the conditions for revoking certification. It stipulates that union revocation must have the support of 40 per cent of employees. In such a case, Bill C-525 requires a secret vote organized by the Labour Relations Board.

I do acknowledge that everyone believes a secret ballot vote is synonymous with democracy. However, the conditions in which a vote takes place must also be taken into account. Principles and practices don't always converge. In that regard, Bill C-525 did not include any safeguards against ways the employer could pressure employees. This bill would have been different if the changes to the union certification system had been negotiated between the parties. The terms and conditions surrounding secret ballot voting should have been negotiated so as to minimize any and all attempts by both sides to engage in unfair practices.

Asked whether the tripartite labour relations system can generate a certification system by a secret vote, in one of our committee meetings, Mr. Hynes of the employers' association FETCO replied the following, and I quote:

[English]

I think it could come as part of a broader conversation related to the code. We have gone through over the years a number of substantial reviews of the Canada Labour Code and, through those negotiations, obviously there is a give and take by all the parties around the table. There could be an opportunity I believe to have a conversation about secret ballot versus card check if we had a more sort of expanded dialogue. But, again, it would have to be set up as a conversation about that.

Colleagues, I want to underscore that even if the principle of secret ballot is widely claimed to be the most democratic way to vote in society, we must consider the conditions in which the vote takes place. When a secret ballot is organized within the firm where only the employer has access to the employees, it is not guaranteed that the vote is exempt from employer pressures. And the facts prove that there are employer pressures to prevent unionization. Do you know of any employer who would invite the union to organize its employees?

[Translation]

Citing not anecdotes but actual statistics as compiled by the Canada Industrial Relations Board, Mr. Yussuff of the Canadian Labour Congress noted the following:

[English]

In the decade between 2004 and 2014, the Canada Industrial Relations Board dealt with 23 cases involving allegations of intimidation and coercion during an

organizing campaign. The board upheld a total of six of these complaints. Four of them involved intimidation and coercion by an employer.

• (1450)

These numbers were confirmed by the chairperson of the board, Ms. Brazeau, who added in committee:

We've concluded that there has been an increase in the number of complaints filed since the coming into force of mandatory votes related to employer conduct during the organizing campaign and the conduct of the vote.

We've received 26 ULP — unfair labour practices — complaints since the coming into force. Now, we haven't been able to deal with all of them because some of them are still ongoing, but 11 have been resolved because we did hold the vote and at the end of the day the complaints were resolved through mediation.

[Translation]

Finally, I would also ask you to consider the unintended consequences, which were perhaps intended by some, of the certification regime imposed by Bill C-525. The facts show that unionization always decreases in provinces and countries where the compulsory secret ballot is implemented. Solid, extensive research has been conducted in this regard. A study carried out by Employment and Social Development Canada in 2013 and kept secret until just recently found that making secret ballot voting mandatory in some provinces led to union coverage in the private sector dropping from 23 per cent in 1997 to 19 per cent in 2012.

[English]

Indeed, many studies show that unionization decreases in countries, provinces or states where the compulsory secret ballot is implemented. This is particularly true for the private sector unions. A study carried out by Employment and Social Development Canada in 2013 concluded that making secret ballot voting mandatory in some provinces led to a decrease in union coverage in the private sector, dropping from 23 per cent in 1997 to 19 per cent in 2012.

[Translation]

In another study carried out for the Government of Ontario in 2015, Sara Slinn, associate professor and co-director of the Centre for Law and Political Economy at Osgoode Hall Law School, found the following:

[English]

Research indicates that procedural changes to representation processes including the mandatory representation vote significantly reduced the likelihood of certification, and that these effects were concentrated in more vulnerable units. This may partly be due to greater opportunity for delay and employer resistance under vote procedure compared to under card-based certification. The

research also indicates that delay has significant effects on certification outcomes, as do ULP complaints and employer resistance tactics. ULPs have negative long-term effects, and are associated with difficulties in bargaining and early decertification. Research also suggests that employer resistance, including ULPs, is common and often intentional. Little research on decertification exists, but offers some indication that employer actions contribute to decertification, and that decertification is concentrated in smaller, low-skill, low bargaining power units.

[Translation]

That being said, you will understand, dear colleagues, that passing Bill C-4 will not just re-establish the certification system that existed before June 2015. It will also help to protect the future of labour relations in Canada.

Many studies show that, in addition to globalization and technological change, a lower unionization rate is strongly associated with higher income inequality. According to a study by researchers at the International Monetary Fund, in developed countries, 40 per cent of the increase in revenue share for the richest 10 per cent is attributable to lower unionization rates. Unionization leads to a more equitable distribution of employment earnings and promotes a growing middle class. This has been confirmed by researchers from the Federal Reserve Bank of St. Louis who conducted a study on the decline of unionization in the United States. Unionization also establishes a public voice that can call on governments to provide better social programs, increased minimum salaries and a more progressive tax system.

The Organisation for Economic Co-operation and Development determined that, on average in OECD member countries, increased inequality is responsible for annual loss in real GDP growth of 0.35 percentage points per year for a cumulative loss of 8.5 per cent of GDP over a period of 25 years. That is significant considering current growth rates, which are under two per cent in real value.

In short, passing Bill C-4 is not only a way to ensure an election promise is fulfilled, but also a way to recognize the importance of the tripartite federal labour relations system and promote the future and the stability of good labour relations in Canada. It is also a step in favour of the middle class and shared prosperity.

[English]

Colleagues, I want to repeat the conclusions of recent studies on the macroeconomic consequences of the decrease in unionization in advanced countries. Recent robust studies show that, in addition to globalization and technological change, a lower unionization rate is strongly associated with higher income inequality. According to a study by researchers at the International Monetary Fund, in developed countries, 40 per cent of the increase in revenue share for the richest 10 per cent is attributable to lower unionization rates. Unionization leads to a more equitable distribution of employment earnings and promotes a growing middle class. It also establishes a public voice that can call on governments to provide better social programs, increased minimum salaries and a more progressive tax system.

[ Senator Bellemare ]

The Organisation for Economic Co-operation and Development determined that on average, in OECD member countries, increased inequality is responsible for a decrease of 0.35 percentage point per year for a cumulative loss in GDP of 8.5 per cent over the last 25 years. This is not insignificant.

In short, passing Bill C-4 is not only a way to ensure an election promise is fulfilled but is also a way to recognize the importance of the tripartite federal labour relations system and to sustain the future and the stability of our labour relations in Canada. It is also about taking an action in favour of the middle class and shared prosperity.

Dear colleagues, I urge you to pass the bill promptly. Thank you for listening.

[Translation]

**Hon. Claude Carignan (Leader of the Opposition):** Would the honourable senator take a question?

**Senator Bellemare:** Probably, yes.

**Senator Carignan:** Madam senator, for Senate reform, one of the most important changes we made to our practices was to enhance transparency by making our expenses available to the public online. I believe that was good for the institution and for people's faith in our democratic system.

One element that was introduced was transparency around unions' financial statements. Setting aside the degree of disclosure, which is something we could discuss, do you agree, on principle alone, that demonstrating transparency by publishing one's financial statements can go a long way toward restoring a trusting relationship with employees or restoring the relationship between employees and unions?

**Senator Bellemare:** Thank you for the question. I have always been a proponent of transparency, but not at the expense of people's privacy. In the context of the bill before us, the level of transparency interferes with privacy. You may not have been here, but during review of the first incarnation of Bill C-377 by the Senate Banking Committee, the Privacy Commissioner told us that he found the requirements of Bill C-37 to be unreasonable. He said in committee, and I could look up the quote, that if Bill C-377 were to become law, he would challenge it in court because it goes too far in terms of people being named.

• (1500)

I have not yet had the opportunity to examine in detail how we will proceed, but some people near me have commented that they find it strange that their name would be published.

In this particular case, Bill C-377 requires an unreasonable level of disclosure given that any expense of \$5,000 or more requires that the person being paid and the reason for the payment be disclosed. We heard from witnesses who were not union representatives, but people in finance and all kinds of sectors, who told us that they did not want their transactions with unions for certain things, such as window washing or funds management,

to be made public and visible on a website around the world. That is the reason why the Privacy Commissioner found that the bill went much too far.

The bill also requires the reporting of time spent on labour relations, lobbying and so forth. That is unheard of elsewhere. In response to those who wonder how Canada compares to other countries, I believe that there are about six countries that have transparency requirements for unions — the United States, France, Britain, Australia, the Netherlands, and one more that I cannot remember. I studied them and I examined the forms these people have to fill out.

First of all, in all those countries, transparency measures are overseen by the labour relations department, because they fall under labour relations. Second, the same obligations are imposed on employers. This sometimes means associations, but can also mean large corporations.

If proper consultation had been done amongst employers' associations, I'm not convinced that they would want all the contracts they award to oversee labour relations to be available online, including the names of the lawyers hired to deal with a given matter within a given company and why they were hired. I have my doubts about that.

The transparency requirements in Bill C-377 are not only unconstitutional because they are a matter of labour relations, as demonstrated by legislation passed in other countries dealing with the same topic, but they are also unfair because they apply only to unions.

These two bills were poorly thought out and poorly written, and with respect to union transparency, you are a lawyer specializing in provincial labour relations, so you know that disclosure requirements already exist. Perhaps some people would have liked to see more of that, but unions are already obligated to be accountable to their members. Some already do this online, such as the CLC and CSN in Quebec, where everything is public.

These bills were introduced by two members who are completely anti-union, members who are supported by anti-union organizations whose explicit goal is to weaken unions. Whether we like it or not, unions have been important in the past and remain important today. They take meaningful action and protect the middle class.

In this context, I believe that Bill C-377 and Bill C-525 absolutely need to be repealed as soon as possible so that we can move on to something else.

**Senator Carignan:** You are basically saying that you would agree with the transparency provisions if they were reasonable, is that right?

**Senator Bellemare:** I have never said otherwise. Look up my speeches. I even cited examples of how this is handled elsewhere, where requirements are constitutional, reasonable, and balanced, and where we find the same requirements for employer associations as well. You'll see, I think there will be a lot of opposition to this.

**The Hon. the Speaker:** Would Senator Bellemare agree to take another question?

**Senator Bellemare:** Has my speaking time expired?

**The Hon. the Speaker:** You have four minutes left.

**Senator Bellemare:** Out of courtesy, I will take Senator Maltais' question.

**Hon. Ghislain Maltais:** Senator Bellemare, I consider you to be a staunch defender of the union movement. That is your right and I respect that. You said that the two sponsors of these bills were Conservative MPs, which is true. You also said that they had the support of anti-union associations. I'm not sure which associations you speak of, but I'll take your word for it, senator.

Notwithstanding what you said, on the other hand, can you confirm in this chamber — and I am choosing my words carefully — that you do not have any connections with Canadian unions, specifically unions in Quebec?

**Senator Bellemare:** I was a university professor. I did research, work that involved unions and employers alike. I worked as a consultant for a time. I gave courses at the FTQ's Fonds de solidarité, where I had some savings a long time ago.

I then worked for the Conseil du Patronat du Québec as the vice-president of research and even as the acting president and, at that time, I presented the organization's views. Senator Carignan quoted the conseil in this chamber, but he did not quote the entire sentence, which ends like this: "in general, employers think that the secret ballot is preferable." That is the traditional position of employers, and it is quite respectable. I defended it when I worked for the Conseil du Patronat du Québec, but I had never done as much research and investigation into this issue as I have since I agreed to sponsor this bill. I can tell you that everything I have written here can be backed up. I therefore feel very confident in stating that passing Bill C-4 is a step toward better labour relations in Canada. It is also a way of assuring the future of federal labour relations.

I think that unions, employers, and the government must be given the latitude to negotiate the appropriate measures. In fact, since these two bills were passed, that is what the largest association of transportation and communications employers in Canada has been repeatedly calling for.

If we mess with the Canada Labour Code, there will be backlash. Once again, the changes will be insidious, and, as FETCO has indicated, they will not be good for anyone or for the Canadian economy.

The least we can do is listen to the government that came to this decision and made it into an election promise. In fact, two parties made it an election promise: the Liberal Party and the NDP. Who are we to get involved and to oppose such bills? Are we labour relations experts? If senators reject Bill C-4, which does not deal with secret ballot voting, they will be interfering in labour relations, and I'm sorry but I do not think that we have the right to do that.

[English]

**Hon. Tony Dean:** Honourable senators, I rise today to speak about Bill C-4, which in my view would restore a fair and balanced approach to labour relations in Canada by repealing the provisions enacted by two private members' bills during the last session of Parliament. We know the numbers well by this point: Bill C-525 and Bill C-377.

• (1510)

I was concerned about these bills when they were introduced and passed, so I'm delighted to have the opportunity to revisit them now.

As you know, Bill C-525 removed the ability of workers to approve trade union representation where more than 50 per cent of employees sign a union membership card, requiring instead a mandatory vote in every case, thus making it more difficult to certify unions.

Bill C-377 imposed excessive public reporting rules on unions with respect to salaries, expenses over \$5,000 — including public release of the names and addresses of anyone whose goods unions purchase — and reporting on union spending and political activities.

I want to raise a number of points about the impact of these two bills, both from the process point of view and the substance of the amendments. It was interesting, Senator Bellemare's background. A little bit about my background:

My perspective here is informed by 33 years of involvement in labour and employment relations and labour and employment policy on every side and in the middle, as a labour representative, a senior manager, a manager responsible for public-sector labour policy, as a Deputy Minister of Labour and, more recently, as a mediator in major public sector labour disputes. My first point is this: That we have labour and employment laws in Canada to address the inequality in power between employers and employees in workplaces. That has been recognized by the Supreme Court in this country.

This is the case regardless of labour policy field. It's not just about labour relations. It's the case in employment standards law and in workplace health and safety legislation.

This is why we have labour laws. It addresses inequality in workplaces.

This sort of regulation of relationships between employers and workers has been finely tuned over decades and has always been aided through consultation and consensus building. With respect to the federal statutes we're talking about today, this was the case in Andrew Sims' 1995 review of federal labour legislation and the 2010 expert panel review of workplace health and safety in Ontario, which I had the privilege to chair.

In that expert panel review, consensus was reached by employers, unions and academic experts, and it was followed by all-party support for that legislation in Ontario's legislature.

There's commonality of view on this on the part of those with lengthy experience in public-sector labour relations. George Smith spent 37 years on the employer side of bargaining in the federal public sector and is now adjunct professor at the school of industrial relations and business at Queen's University. Mr. Smith told MPs at the committee stage that Bill C-525 flies in the face of decades of consultative and consensus-based reform recognized by Liberal and Conservative governments which recognize the complex world of labour relations.

The point here is that neither of the Conservative private members' bills were informed by any effort to consult the major workplace parties or to find any degree of consensus between obviously competing interests.

My second point emerges from the primary imbalance of power in workplaces, which is between employers and workers. In labour-relations regimes, especially the processes involving union certification, this power imbalance is very much in evidence.

This is particularly the case where mandatory certification votes are required, as these are often held on the employer's premises and can involve active employer involvement, in which intimidation is often disguised as just providing information.

Simply put, workplaces do not offer neutral ground for discussion and decision-making on workplace rights. That is not a reality.

Make no mistake, when employers choose to intervene in these processes, they do so in a highly sophisticated and sometimes brutal way, backed by highly specialized law firms and well-funded lobbying groups, including some U.S. organizations who advocate for so-called right-to-work laws.

Some employers opposed to union representation will go to considerable lengths to influence a certification campaign, including threatening and intimidating their employees and threatening job losses and plant closures.

The more vulnerable workers are, the fewer choices that they have, the less mobility they have, the greater the impact of employer intervention will be, and that intervention will affect the very workers who would probably benefit the most from collective representation.

In my experience, employers who act in this fashion are also likely to operate at the boundaries of employment standards and workplace health and safety laws. It doesn't stop at labour relations law.

But examples of inappropriate actions by even large Canadian employers were cited by witnesses at Bill C-525 committee hearings.

The more complex mandatory voting systems are, the longer they take, and the more opportunity is provided for employer environment and challenges at each point in the process. This, in fact, seems to have been consciously designed into Bill C-525, which also requires a majority of employees in the bargaining unit to vote in favour of certification as opposed to a simple majority of those choosing to vote. A recent failed certification process at a

major Canadian airline, in which the employer was actively involved in challenging evidence of employee support, has been cited as a potential casualty of Bill C-525.

It will strike many observers that, while these private members' bills were justified by their proponents as being necessary to protect workers from trade unions, they were more likely designed to tip the balance in certification drives toward employers.

In fact, it's kind of notable that, if you hear those who were the major proponents talking in favour of employee rights with respect to these bills, it is very much the unique exception.

I'll point out the obvious. Proponents of these bills may have supported Bill C-525 and Bill C-377, but you will not hear them standing up in support of an increase in the minimum wage. You will not hear them stand up in support of improving employment standards law. You will not see them stand up in reviews of workplace health and safety legislation and say, "This is the right thing to do for workers." This is quite unique.

Testimony by the Canadian Labour Congress tends to support this. As opposed to the impression created by proponents of Bill C-525 concerning union intimidation of workers during certification applications, Canada Labour Board reports demonstrate that most cases of intimidation against workers in certification drives involve employers.

In any event, this is not to say that there are not cases of inappropriate union behaviour. But, in any event, under the pre-existing legislation, where the labour board found evidence of any undue union coercion, it had the power to order a formal certification vote, and this would be restored under Bill C-4.

I now turn briefly to Bill C-377, the companion piece to Bill C-525. This legislation too was shrouded in the discourse of workplace democracy and the protection of workers. The bill, too, was uninformed by research or consultations, and there was certainly no effort to reach any degree of consensus.

Unlike Bill C-525, there might actually have been a question to answer here about the degree and nature of financial disclosure that union members should receive as a matter of course, and that was raised here a few minutes ago, although I anticipate that some unions are much more proactive than others in this regard.

The problem is that this sort of inquiry clearly didn't occur. In fact, it was questionable as to whether this effort was truly designed with workers in mind as much as it was an ideological assault on the so-called "union bosses" that we heard about so frequently during and prior to 2015.

• (1520)

Bill C-377 sets out extremely rigid requirements and prescribed formats of financial reporting to the degree that suggestions have been made that it placed a cost burden of tens of millions of dollars on the government and unions in order to comply with and regulate an unnecessarily burdensome process. Some have

argued that Bill C-377 has paradoxically resulted in a waste of tax dollars and union dues, and that it adds excessive amounts of unnecessary red tape.

It would lead us to wonder why this bill required considerably more financial disclosure from unions than is required from corporations or the charitable organizations they were compared to by proponents of the legislation.

Bills C-525 and C-377 were not informed by broader policy considerations, consultations or any effort to find consensus in an area of law and regulation that has been the subject of careful balancing of rights and responsibilities over several decades.

The binding thread between these bills — and make no mistake, these bills go hand in hand — was an effort to reduce the viability of legally functioning trade unions in Canada's federal public sector.

Colleagues, we'd all accept that crafting and passing these bills was at the time a legitimate political choice made by the government of the day and that must certainly be respected. But at the same time it's often the fate of ideologically driven policies, fashioned without the active involvement of those affected by them, to be continually contested by those whose voices were excluded. This is one of those cases.

For all of these reasons I support the objective of Bill C-4 to repeal the changes brought about by Bills C-525 and C-377 and in doing so to restore a greater degree of balance in Canada's federal labour codes.

From a public policy perspective and in the interests of harmonious labour relations, I think this is the right thing to do. And, honourable senators, if Bill C-4 had not emerged from the other place, I have little doubt the issues would have been raised here in this chamber, likely by me and by others, and justifiably so. Thank you.

**Hon. Dennis Glen Patterson:** Would the honourable senator take a question?

**Senator Dean:** I would be delighted.

**Senator Patterson:** Thank you. We're very privileged to have the benefit of what sounds like almost a lifetime of experience in labour relations in Canada, and I defer to your experience in that regard.

However, there is one thing that hasn't been mentioned in the debate so far this afternoon and I wonder if you would comment on the concern that was expressed around this bill about significant contributions made from unions towards political campaigns that were not reported publicly and were not reported to union members.

This was a concern that I'm sure you would be familiar with that came up in the discussion of this bill, and there were examples cited of significant expenditures which in some quarters

were said to have influenced election campaigns. I understood that was one of the motivations of the movers of the private member's bill.

Would you comment, sir, on that issue and on whether you think it has any relevance to this debate?

**The Hon. the Speaker:** Excuse me, Senator Dean, but your time has expired. Are you asking for five more minutes to answer the question?

**Senator Dean:** I'll ask for two more minutes to answer.

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

**Hon. Senators:** Agreed.

**Senator Dean:** Thank you so much for the question. It's very pertinent. I will simply say that there is a vibrant debate going on across our country about the degree of transparency of funding from all sorts of organizations in all sorts of directions, including to some political parties.

I am aware that some unions do contribute to political parties. Some, indeed, contribute to all political parties, and so I would make that point first. I would secondly say that transparency is important, that some unions are much more transparent than others, and that in some cases some unions are considerably more transparent than some governments.

I think, though, that the two bills introduced and passed overreached by a long shot, and that this was a poorly developed public policy disguised as an effort to improve workplace democracy from proponents who in every other case would not stand up and speak for workplace democracy.

[Translation]

**Hon. André Pratte:** Honourable senators, I rise today to express my support for part of Bill C-4, the one that contains amendments to the Income Tax Act, naturally. I have to say that I had some reservations about the union certification part.

[English]

Before I explain my reasoning, I would like to tell you a little bit about where I stand on the labour movement.

As regards ideology I like to say, tongue-in-cheek, that I'm a hardline centrist. I usually take a middle-of-the-road stance on everything. I have a natural tendency to see the other side of the coin. That's why I often play devil's advocate.

As a result, during my many years in journalism and in particular during the 15 years I worked as editor-in-chief at *La Presse*, readers would often incorrectly lump me into one ideological camp or another. However, in general I was usually identified as being more right than left, leaning more toward the management side than toward the union side. Why is that? That is because on public finance matters I have always advocated for some management, zero deficit and debt reduction, which goes

generally against the union line. As an indication that I identified with employers, it was the Quebec Employers Council that put my name forward to be appointed to this chamber.

That said, I'm not hostile at all to unions. I believe that they are instrumental in protecting the rights of workers and they are tools of social progress. I believe, as they do, that we need strong social programs that help out the most vulnerable citizens and that promote equity. Where we may differ is that in my opinion the viability of those social programs depends on dynamic economic growth and sound public finances.

I believe that in a developed society there needs to be a balance of power between employers, unions and the state. If the employer's side is too powerful, workers are poorly treated, their working conditions worsen, their purchasing power decreases and the social climate deteriorates. If unions are too strong, businesses become less productive, the economy risks becoming stagnant and workers eventually suffer.

[Translation]

In Canada, the unionization rate has been in decline for more than 30 years. It was at 38 per cent in the early 1980s and at 29 per cent in 2014. In the private sector, only 15 per cent of workers are unionized, which means that 85 per cent of private-sector workers are not unionized.

Most people agree that income inequality is one of the most serious problems facing contemporary Western societies. That being the case, the erosion of organized labour in Canada is bad news indeed. If unions cannot fight for workers and working conditions, who will? The appropriate balance is in danger of being upset. That's the backdrop against which Bill C-377 and Bill C-525 were adopted.

• (1530)

Bill C-377 amended the Income Tax Act to require that all unions file a lot of extremely detailed information about their activities, which information would then be made public.

In short, under the new section of the act, unions had to provide details for every expenditure totalling more than \$5,000 — who paid, how much, to whom, and why, and, in particular, precise information about the remuneration of each officer, with the name of each officer, and various calculations showing the amounts spent by the union on political activities, yes, but also on lobbying, administration, gifts, collective bargaining, conferences, training, and legal activities, with names in each case.

To justify these new requirements, it was explained that unions are funded by tax deductible dues and so, indirectly, by taxpayers, and that taxpayers were entitled to know what their money was being used for. Those who made that argument often offered the example of charitable organizations that have to provide information about their finances and their activities to the Canada Revenue Agency, which information is publicly available.

Following that reasoning, if the sponsors of Bill C-377 had been content to require that unions provide the same information as is

[ Senator Patterson ]



requested of charitable organizations, their logic would have been hard to assail. However, they went much further.

What they were asking of unions was much more detailed and onerous because, essentially, what is required of charitable organizations is financial statements. They are not asked to give the details of each expenditure over \$5,000. They are not asked to provide the name of each officer along with detailed information about their remuneration.

The point was obviously to attempt to destabilize unions by exposing the details of their expenditures, in particular their officers' salaries, to the general public.

In addition, as Senator Bellemare has said, the method chosen by the Harper government — Bill C-377 — was, in the opinion of numerous experts, unconstitutional.

For all these reasons, and, in particular, because it is the duty of the Senate to protect provincial jurisdiction, I support the section of Bill C-4 that repeals Bill C-377.

Bill C-525 imposed the requirement of a secret ballot for any union certification vote held in a private or public entity under federal jurisdiction. Before the bill was enacted, unions obtained certification by a majority of the employees signing cards, as verified by the Canada Industrial Relations Board. As Senator Bellemare said, the Board could order a secret ballot in cases where it considered it necessary or advisable or where it had the slightest doubt, and it had to do so if a count of the cards signed showed that the union had obtained between 35 and 50 per cent support. Bill C-4 proposes to go back to that previous system.

People who support C-525 have a strong argument: What can be more democratic than a secret ballot?

At the risk of making some people unhappy, I would venture to say that secret ballots are no guarantee; everything depends on the circumstances in which they are held. Federal, provincial and municipal elections are held in the best of circumstances in Canada, which is why their results can be trusted. However, that is not the case everywhere in the world. In some countries, people go to the polls but the secret ballot is a sham. The results mean nothing, either because the voters have no real choice or because of widespread fraud and intimidation.

The same applies in the workplace. Just because there is a secret ballot does not mean that the employer — who, let us not forget, has the upper hand — cannot influence the outcome. That happens, especially when the vote is held on the company's premises. However, even when it does not, with a secret ballot the employer has several days to exert pressure on employees and, for example, as is often the case, threaten to shut down operations.

There is a reason why research conducted in the Canadian provinces that opted for a secret ballot indicates that there has been a significant decrease in the rate of certification. For those who prefer the secret ballot, this simply indicates that the will of employees was respected, but it could also mean that the employer was able to influence the process so that certification would not happen.

[English]

Now I will go back to my opening remarks.

Bill C-525 was passed because its supporters believed that the system in place up until that point was not working and that the card-check system gave unions the opportunity to intimidate workers and force them to join the union. This claim was never substantiated, but some anecdotal evidence was presented.

I would like to point out that the primary witness on this matter was an association called LabourWatch — to which we have already referred — which says that it defends employees, but is actually an employers' association.

To me, the best way for employers to defend their employees is not to create a sham association claiming to speak on their behalf; it is to provide the best working conditions possible.

Regardless, the effectiveness of the card-check system has been proven by the fact that almost every time the Canada Industrial Relations Board held a secret vote to verify the support of a union, the results were nearly the same as that indicated by the card campaign. In addition, during the certification process, the board contacts workers to verify if a union has used unfair methods.

LabourWatch claims that it is very difficult for an employer or employee to successfully submit a complaint to the board. However, anyone who has ever used the board's decisions can see very easily that it has considered a wide variety of complaints filed by both employers and employees. Some were upheld; others were rejected. In short, all signs indicate that the system in place until 2015 worked.

**The Hon. the Speaker:** Excuse me, Senator Pratte, but the minister has arrived.

**Senator Pratte:** I was in full flight, Your Honour.

**The Hon. the Speaker:** You may return to full flight after Question Period for the balance of your time, Senator Pratte.

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## QUESTION PERIOD

*Pursuant to the order adopted by the Senate on December 10, 2015, to receive a Minister of the Crown, the Honourable Karina Gould, the Minister of Democratic Institutions, appeared before honourable senators during Question Period.*

**The Hon. the Speaker:** Honourable senators, today we have with us for Question Period the Honourable Karina Gould, P.C., M.P., Minister of Democratic Institutions. On behalf of all senators, welcome.

[Translation]

## MINISTRY OF DEMOCRATIC INSTITUTIONS

### MANDATE LETTER

**Hon. Claude Carignan (Leader of the Opposition):** Madam Minister, it is a pleasure to have you here.

My question concerns your mandate letter, which was posted on the government website. Can you tell us when you first read your letter?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you, Mr. Speaker, and thank you, honourable senator, for your question. I would like to start by saying that I am delighted to be here today. It is a great honour to be in this chamber with my honourable Senate colleagues.

As you know, my mandate letter was published by the Prime Minister on February 1. When the Prime Minister appointed me to cabinet, he told me that my job was to strengthen, protect and improve our democratic institutions. I am up to the task and capable of working with the people in this chamber as well as the members of the other place.

**Senator Carignan:** In your mandate letter, minister — and I understand this was part of your conversation with the Prime Minister — it states:

As Minister of Democratic Institutions, your overarching goal will be to strengthen the openness and fairness of Canada's public institutions. You will lead on improving our democratic institutions and Senate reform to restore Canadians' trust and participation in our democratic processes.

Over the past six or seven years, minister, the Senate has been reforming itself from within, prompted by Conservative and Liberal senators alike. We have done so by amending our rules, reviewing our way of doing things and changing our communication methods. I think we have made huge strides towards making the Senate a more transparent, effective and modern institution so that Canadians' trust in us can be restored.

Your government has already introduced changes regarding how senators are appointed. What other changes do you have planned for the Senate?

**Ms. Gould:** I thank the honourable senator for the question. It truly is an honour to be able to work with such experienced senators. The Senate is an important part of our democratic institutions and our parliamentary system. As you mentioned, the Prime Minister and my predecessor introduced a new system for appointing senators. I believe the process is working well. New and sitting senators alike have had productive discussions and have provided thoughtful insights on bills, democracy, and the important tasks we must all carry out as parliamentarians in service to Canadians. I look forward to reading the report, currently under review, which was submitted by the Special Committee on Senate Modernization and to working with senators.

• (1540)

We can certainly continue to make improvements in this place, just as we want to improve the Government of Canada as a whole. For senators, it is a matter of working together and deciding how they want to improve this institution. As Minister of Democratic Institutions, it will be a pleasure for me to work with you so that we may all reach our goals.

[English]

### FOREIGN INFLUENCE IN CANADIAN ELECTIONS

**Hon. Linda Frum:** Minister, yesterday in Question Period you responded to a question on the subject of foreign influence in Canadian elections from the Member of Parliament for Banff—Airdrie by saying, "International entities cannot give money to political parties or candidates." However, under the current law, registered third parties are able to spend unlimited amounts of foreign money conducting election activities such as polling, operating websites and phone banking, to name just a few. This fact was confirmed by Chief Electoral Officer Marc Mayrand at the Standing Senate Committee on Legal and Constitutional Affairs, when he said:

Once the funds are mingled with the organization in Canada, it's the Canadian organization's funds. That's how they act is structured right now, and they can use their funds.

By "funds," he meant foreign funds.

Minister, you are mandated to:

Review the limits on the amounts political parties and third parties can spend during elections, and propose measures to ensure that spending between elections is subject to reasonable limits as well.

Will you address this significant loophole in the election law that allows foreign money to be used in Canadian elections by registered third parties, and, if so, when can we expect to see relevant legislation?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you so much, Senator Frum, for your question. The question I received yesterday in Question Period in the other place, as well as a similar question that I received on the House and Procedures Committee from the honourable member that you mentioned, is an important one.

In my mandate, a couple of things address this issue or will have us looking at it in greater detail. The first is the new element of my mandate letter that the Prime Minister has included with regard to working with the Communications Security Establishment of Canada to ensure that we are analyzing and reviewing the landscape in terms of potential threats via cybersecurity or cyberattack for our political parties. I'm already engaging in conversations with the CSE about how we work through this, and we provide that service and that information to political parties to ensure that they have the ability to protect themselves and to protect the information that they currently hold.

The other side of that, as you correctly point out, is the ability to limit campaign spending between elections. That's something I'm entering into conversations about right now. I think it's quite important to ensure that we do monitor the limits of spending.

However, with regard to foreign money in the Canadian political process, it's very important to note that in Canada we do have very strict financing laws when it comes to who can donate to a political party, a third party or a candidate during a writ period. For a long time, foreign money was not allowed to be part of that. It can be either up to a \$50,000 fine or five years of imprisonment if that is found to be the case.

**Senator Frum:** Minister, would you agree that it is possible for foreign entities to make donations to third-party organizations outside of the writ period; that that money ends up getting used during the writ period; that this is the loophole I'm referring to; and that this is a very serious threat to our political sovereignty?

**Ms. Gould:** Thank you again, Senator Frum, for the questions. It is something that I will certainly be looking into. From the experience we have, we have found that this is not something that is currently present and so significant that it would impact the electoral system or the confidence that Canadians have during a writ period or during an election. However, I take your point and I appreciate it. It's something that I will definitely consider.

#### ABORIGINAL VOTE

**Hon. Murray Sinclair:** Madam Minister, I wonder if you've had a chance to consider the question of the Aboriginal vote and participation in the electoral process. According to a study that was conducted by the Assembly of First Nations of Canada, they estimate that up to 51 ridings could have potential impact if they have the appropriate assistance and support to get the vote out, to ensure that proper polling stations were in place and that they had enough ballots, all of which were an issue in the last election.

In terms of electoral reform going forward, can you tell us what the government plans with respect to doing what it can to support Aboriginal voters so they can be allowed to participate in the electoral process on a fair footing and an equal way to other Canadians?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you, Senator Sinclair, for your thoughtful and important question. This is a new experience for me to be able to turn around in the chamber and address you directly, so forgive me if I'm awkward, but I appreciate it. I think it's a nice way of doing things.

What you raise is incredibly important. Unfortunately, as you mentioned, during the last election we did see the issue of not having enough ballots in First Nations communities.

The other one which is important to consider is not having the adequate identification to be able to vote when getting to the polling location. As some of you may be aware in this chamber, my predecessor introduced Bill C-33, which would reinstate some of the elements that were taken out of the previous government's

fair elections act, principally with regard to vouching. I have seen first-hand when volunteering at a polling station the importance that has for someone when they don't have the list but they have the voter identification part or they have someone who can confirm who their identity is so that everybody in Canada who has a the right to vote has the ability to vote. For me, that's incredibly important.

I'm looking forward to continuing hopefully to have this conversation with you to see what else we can do to ensure that all Canadians, including First Nations Canadians and indigenous Canadians, can make sure that when the time comes they are able and ready to vote.

#### YOUTH VOTE

**Hon. Marilou McPhedran:** Minister Gould, welcome, and thank you so much for your encouraging words about the relatively new process of appointing independent senators, of whom I am one.

My question relates to the fact that I spend a lot of time with young people. I'm both a human rights specialist and a professor. I know — from my students, from monitoring social media and from just counting votes and the demographic — that we had a surge of younger voters in this country in 2015. I also see now from social media a surge of anger, disappointment, heartbreak and, I would argue, a distinctive rise in cynicism returned to the younger generation, many of whom have taken to social media to express how they feel about what was removed from your appointment letter.

Could tell us, first of all, if you are monitoring that outcry from across the country from younger voters and if it is being addressed in some way?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Certainly. Thank you for your question and thank you for your interest in young Canadians and, of course, welcome to Parliament. It's great to have you here, as it's great to have everybody here.

As a young person myself — I'm 29 and very engaged in the political process, obviously — I have had many conversations with young Canadians over the past year, over the past two years and of course in recent weeks. It's very important to make sure we're listening to the broad spectrum of young Canadians and the issues and ideas they have. I was very heartened over the past couple of weeks to see people register their disappointment or to engage, because I think it's a hallmark of our democracy that we can agree and disagree equally peacefully and have those conversations.

• (1550)

In terms of continuously engaging young Canadians in the process, I've said this in the other place and in the media, and I will be happy to repeat it here, as leaders in our community and political leaders, we need to continue to encourage young Canadians to get involved, whether they agree or disagree with policies, but to ensure that that time they came and voted in the past election, that they continue to do that.

One of the things we're going to be putting forward that is in Bill C-33 is a voter preregistration for 14- to 17-year-olds so they can register before they turn 18 and before the next election. We know there is a trend that when young Canadians vote for the first time, it becomes a habit and they often do it for the rest of their lives.

Of course, I'm concerned about the issues facing young Canadians. Of course, I'm listening and monitoring what's on social media and also in coffee shops and at the door in my riding and across Canada. But it's also important for us to continue to encourage people to engage in the democratic process.

#### VOTER IDENTIFICATION

**Hon. Mobina S.B. Jaffer:** Minister, thank you for being here. We welcome you to the Senate; I hope you will come here often. I want to share with you that I'm 29 years old in spirit.

**Some Hon. Senators:** Oh, oh!

**Senator Jaffer:** You partly answered the question, but I unfortunately couldn't hear because of our acoustics.

My question is on identification and voting. Marc Mayrand, the Chief Electoral Officer, appeared before the Standing Senate Committee on Legal and Constitutional Affairs and told us that certain demographics were more likely to be turned away from the polls for not having the appropriate identification; in particular, younger voters, ethnic voters and First Nations people were the worst affected. He also mentioned that seniors increasingly had to produce documents they did not have.

He went on to say what we all know, that identification is what lets an individual prove they are Canadian and able to enjoy all the rights they have as a citizen, including the right to vote.

Minister, as a young lawyer, on voting days I would often go into areas where people were disenfranchised, and many years ago I was able to take them to the voting areas to vote because they were Canadians; they had a right to vote.

In the last election, I have found those people to be disenfranchised. I know you're new on the job, so if you don't have an answer now, I'll accept it later. What steps will you take so that each Canadian who wants to vote can vote?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you, Senator Jaffer, for your question. If I may, it was a delight to work with you in my previous capacity as Parliamentary Secretary for International Development, and I look forward to continuing our good working relationship moving forward.

If you will indulge me, I feel particularly honoured to be here at 29 because I know I don't make the Senate age cut-off; so now is my only chance.

On the issue of voter identification, it's a really important issue, as Senator Sinclair mentioned. We know from a Statistics Canada survey that there are 172,000 Canadians in the last election who

cited not having adequate identification as the reason for not voting. That's 172,000 Canadians too many. That should never be a barrier for people seeking to participate in the franchise.

Part of what is in the legislation for Bill C-33 is to reinstate the practice of vouching and reinstate the voter identification card as a means of identification, with additional pieces beside it, so we can ensure that all Canadians, who inherently have the right to participate and vote, are able to.

#### FOREIGN INFLUENCE IN CANADIAN ELECTIONS

**Hon. Denise Batters:** Minister Gould, I am a member of the Senate's Legal Committee. When Marc Mayrand appeared before us last fall, he testified that foreign third-party organizations are exempt from the donation rules, capping campaign contributions. This would mean, for example, that funds coming from China, Iran and Saudi Arabia would not be subject to the same rules everyone else follows during a Canadian election campaign.

The last election saw unprecedented spending on behalf of third-party organizations, some of it funded by foreign lobby groups not restricted by Canada's electoral financing laws. In fact, Canadian third-party organization Leadnow, allegedly with the benefit of foreign contributions, boasted about its ability to influence the outcome of our Canadian federal election through strategic voting. Free and fair elections are the very hallmark of our Canadian democracy.

Minister, will you commit to closing this third-party funding loophole today? Make this meaningful change to our law, and you will avoid your ministerial tenure being remembered solely for doing Prime Minister Trudeau's dirty work by breaking a major election promise.

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** It is Valentine's Day; so I will operate in a framework of love.

Thank you, Senator Batters, for your question. As you illustrated in your question, we both cherish the democracy we have in Canada. That unites us all in this place and the other place. I'm delighted to be here and to answer that question.

As I said to your colleague, there's very little evidence to suggest that foreign money is influencing Canadian elections by third parties, but it is important. I will continue to work with my staff and colleagues in this place and in the other place to ensure that we put reasonable spending limits for third parties between elections. That was something that was definitely an issue in the past, but also spending limits for campaigns, because in the previous election we did see that spending limits had increased because of changes made by the previous government to the fair elections act.

It's really important to Canadians that we set those limits here as well and of course to recognize that it's important to make sure that we get the facts right so that Canadians continue to have confidence in our system. In the Canada Elections Act it is prohibited for foreign spending in Canadian elections during the writ period. It is prohibited for foreign money to be donated to political parties, third parties or candidates, and there are very strict penalties for that.

# SENATE APPOINTMENTS—UNDER-REPRESENTED OCCUPATIONS

**Hon. Diane Griffin:** Welcome, minister. Statistics Canada indicates that there are approximately 280,000 farm operators in Canada. This would include both farmers and those associated with agriculture farming in Canada. However, according to the Library of Parliament, there are currently zero senators from that background listed as farmers or farm operators.

Will the Government of Canada amend its qualifications and merit-based assessment criteria being used by the Independent Advisory Board on Senate Appointments to ensure that the board considers under-represented occupations as part of its appointment process to ensure that the Senate reflects the wide occupational diversity of Canada?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Honourable senator, thank you for that question. You raise a very important point. Part of the Prime Minister and the government's decision to put in place the Independent Advisory Board for Senate Appointments was to try to continue making this place as representative of Canada as possible. You have raised a really important point.

Of course, farming and agriculture plays an incredibly important role in our economy, communities, in the livelihoods of families, and also in terms of how we identify ourselves as Canadians. I take that point, and I would be delighted to sit down with you further to discuss that and think about what we can do to ensure that there is that diversity and breadth of experience in this place.

## POLITICAL FUNDRAISING LEGISLATION

**Hon. Paul E. McIntyre:** Thank you, minister, for being here today and answering our questions. Congratulations on being the youngest woman appointed to cabinet.

• (1600)

My question has to do with cash-for-access party fundraising, as the follow-up to the questions asked by other senators on this issue.

My understanding is that the legislation, which you have been mandated to introduce, will apply to cabinet ministers, federal party leaders and leadership candidates for federal parties. It will not, however, apply to backbench MPs.

That said, I understand that the Ethics Commissioner has asked to be allowed to investigate fundraisers. On top of that, opposition parties have also urged your government to allow the Office of the Ethics Commissioner to investigate political fundraisers.

Could you inform this chamber if the request of the opposition parties as well as that of the Ethics Commissioner would be part of the legislation you are about to introduce, and if not, why not?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** I thank the honourable senator for the question. I appreciate it. And thank you for your congratulations. I am

honoured to be here, and I certainly hope that my tenure as minister is remembered fondly by everyone in the end.

With regard to my mandate letter and party fundraising, as you correctly pointed out, the Prime Minister has tasked me to introduce legislation that would provide greater openness, transparency and accountability when it comes to fundraisers with participation from the Prime Minister, ministers, party leaders and those seeking to lead political parties.

Obviously, this is very much at the beginning stage, and I look forward to working with colleagues in the other place and, when the legislation gets here, with those in this chamber as well to review and develop it as best as possible.

The intent of this is really to ensure that Canadians have access to this information in a timely manner. Of course, I'm open to ideas and suggestions about how we can best provide that openness and transparency to Canadians.

**Senator McIntyre:** Could you also inform why the new measures will not apply to backbench MPs? And when do you intend to introduce this new legislation?

**Ms. Gould:** Thank you for that question. Fundraising is part of what all political parties do, and it's important to make sure that those who are in decision-making positions in terms of how the government will proceed with decisions on policy, and those who are aspiring to one day perhaps lead the party and to lead the country, are also included in this because they have the possibility to make those decisions, so we feel it's important for Canadians to have access to the information about party fundraising in as timely, accessible and open and transparent way as possible.

**Hon. Tobias C. Enverga, Jr.:** Thank you, minister, for being here today.

With respect to the mandate letter, I quote the paragraph that starts as follows: "Sunshine is the best disinfectant to concerns about our political process . . ."

It states that fundraisers should be held in publicly available spaces, advertised in advance and reported in a timely manner.

I'm just curious. If held in a publicly available space, does it mean the fundraiser has to be open to any member of the public? Would it be possible to organize a by-invitation-only event? How far in advance does an event have to be advertised? Can you please explain what the specific changes would be, or is it more of a general wish that may or may not happen, like some of those your predecessor had in her mandate letter?

**Ms. Gould:** Thank you to the honourable senator for his question and for so diligently having read my mandate letter. I appreciate that.

I think it's important to remember, note and highlight that in Canada we have very strict laws when it comes to fundraising. There are already strict rules in terms of who can donate, limits that unions and corporations are unable to donate and rules around lobbyists in terms of their activities with regard to fundraising.

The important part about this in my mandate letter is indeed about ensuring that these events are open, transparent and accessible to the public. The idea of holding them in public spaces is so that, yes, of course we would not have private events for fundraising that includes the Prime Minister or cabinet ministers, party leaders or those who are aspiring to lead parties, and it does mean that they would be advertised in advance.

Of course, the specifics are what I need to work out and what I need to work on with my colleagues in the other place and here to ensure that we get that right and that we provide that information to Canadians as best as possible.

[Translation]

#### ELECTORAL REFORM

**Hon. Jean-Guy Dagenais:** Minister, sometimes people are cynical about politicians. I understand how this can happen, particularly when a government gets elected by making promises it then chooses not to honour. Without speaking to electoral reform, I will simply say that sometimes, a government gets elected under false pretences.

Minister, what credibility should we give you with regard to the commitments you mention?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** I thank the honourable senator for his question. It is important to note that last year, the former minister and many members of Parliament, from all parties, worked hard and did a thorough job of consulting Canadians, talking to them and listening to them.

Our government believes that what is most important in this entire process is listening, and when the issue is choosing a method of governing, we have to listen to Canadians. All that listening called for a lot of work, whether it was the consultations the former minister held across the country, the round tables that members took part in, or the study by the Special Committee on Electoral Reform. We made a commitment to listen to thousands of Canadians and ultimately arrived at this decision.

It is important to consider the fact that I have been in office for only one month, after being appointed to cabinet. I am eager to work on fulfilling the mandate the government has given to me so that I can deliver results for Canadians.

I hope I can count on the good work, experience and intelligence of all honourable senators in this chamber and my colleagues in the other place so that we can deliver positive results for our democracy based on our findings.

[English]

#### SENATE REFORM

**Hon. Serge Joyal:** Madam Minister, my question is in relation to reform of the Senate. Your predecessor had a specific mandate in her mandate letter in relation to the reform of the Senate. What is your specific responsibility? Besides the appointment process

[ Ms. Gould ]

that the Prime Minister has put into place, what are the other priorities that you would like to consider as being part of your realization?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you, Senator Joyal, for your question.

With regard to Senate reform, that's an overarching task in my mandate letter. Of course, the Prime Minister has made it very clear, and I am following his instructions, that with regard to how the Senate operates and organizes itself is something that must be decided and deliberated upon within this chamber, and we look forward to receiving the results of that.

I know very good work is being done by the Senate Modernization Committee, and I look forward to working with you on that and to continuing to engage in a productive manner.

**Hon. Leo Housakos:** Thank you, minister, for being here with us today. My question is also in regard to the steps taken by the government to reform the Senate of Canada. In particular, we've seen in the last few months the new independent nomination process that has brought to this chamber some outstanding Canadians, good liberal-minded Canadians, who, I think, are going to serve the Senate very well.

But I'm very concerned, and I'd like to know the opinion of the minister, if you feel that maybe we have weakened the influence of the senators. There's been a tradition in this place for many decades that senators in this chamber have access to the national governing caucus and, of course, a role to play in the national governing caucus, where they would be able to articulate interests of their region before ministers and before the Prime Minister on a weekly basis, and articulate on behalf of their provinces and constituents.

• (1610)

Furthermore, some of us feel that this chamber has been diminished in terms of our influence because we have a government leader in this chamber modelled in terms of a Government Representative, but the bottom line is, for the first time in the history of this country, he is not a member of the cabinet and not a cabinet minister. He doesn't serve on important cabinet committees, and we have seen time and time again the difficulty. His predecessor served on cabinet committees and was able to answer questions on a dime in this chamber.

I'd like to know your opinion, minister, if some of these changes have not diminished the influence of this chamber compared to previous decades.

**Ms. Gould:** Thank you for your question, Senator Housakos, and of course for your interest in the well-functioning nature of this place.

I would have to disagree with the premise of your question or the direction that you were going in. We have seen over the past year how this place can work effectively and so well in this new capacity, as it had done in the past, particularly on Bill C-14 and Bill C-29. We saw some really great work that was done in this

chamber. It was designed and framed by the founders of Confederation to be a chamber of sober second thought. I think we have seen that success over the past year and over a number of years. Of course, this place has always done good work.

I should mention on a personal note that my mother is a big fan of the Senate. She actually watches Senate committees on a regular basis and constantly texts me to let me know what's going on in Senate committees and of the good work that is being done there.

**Senator Carignan:** So no change. Mom doesn't want change.

**Ms. Gould:** We all have tremendous respect for this place.

I do want to finish these remarks right now by saying we have seen tremendous work in a very effective way. It is a new way of doing things, but I think it's going to continue to do really good work in the future. Thank you.

**Senator Housakos:** Supplementary question, Your Honour.

I appreciate the praise and it's well-deserved. Bill C-14 was an example of how we can work on a bipartisan basis to better legislation. But I can assure you that there are some competent, experienced Liberals in this chamber like Senator Serge Joyal and Senator Claudette Tardif who, if they were given the opportunity to serve — and all the new senators as well — on a weekly basis within the national caucus, a lot of work could be done there when it comes to the embryonic stage of developing legislation. We would be saving a lot of time in terms of debate because senators have a role to influence government legislation at the beginning stages as well.

**Ms. Gould:** I'm not sure there was a question, but I will take the occasion to respond.

In my previous role, I met with Senator Tardif, Senator Jaffer and Senator Eggleton and many others to start building those relationships between members in the other place and senators here. That's something we should continue to do. I indeed encourage all of my colleagues in the other place to do the same because, as you mentioned, very good work is done here. We have tremendous experienced Canadians that serve in this place, and to ensure that we have good communication between both places I don't think requires a partisan lens. I think it requires all of us who wish to serve as Canadians to work together, to reach out across different aisles, and to continue to do that work. Thank you.

#### POLITICAL FUNDRAISING LEGISLATION

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Welcome, minister. I think some of my colleagues have touched on this, and in some ways I have a slightly different position regarding your mandate letter and commitment to increased transparency for political fundraisers.

I note that on page 25 of the Prime Minister's 2015 guidelines for ministers entitled *Open and Accountable Government* it states:

There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties.

It's very clear in the wording of the Prime Minister's guidelines to ministers. The rules are already in place to govern cash-for-access fundraisers, so I'm curious why new legislation would be necessary when the rules are very clear.

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you to the honourable senator for her question. I appreciate the question.

As you mention, the rules that we have in place in Canada are very clear, but that doesn't mean we can't do better, and so essentially this is in the spirit of providing more information, more openness, more transparency and more accessibility to Canadians so that we can continuously improve. Thank you.

**Senator Martin:** Without mentioning specific names, for instance, I was aware of a cash-for-access fundraiser which took place in a city where those rules were definitely compromised.

**Senator Carignan:** Oh, names, names!

**Senator Martin:** I wanted to ask what the ministers themselves are doing in review of these current rules, before the legislation is tabled, to ensure that this does not repeat itself.

**Ms. Gould:** As far as I'm aware, ministers have always conducted themselves in accordance with the rules, and that's what we will continue to do.

**Senator Neufeld:** It's just the Prime Minister who didn't.

#### LEGISLATIVE REVIEW PROCESS

**Hon. Frances Lankin:** Minister, welcome. I have appreciated listening to your thoughts about your mandate.

I'm going to ask you a question about possible reforms in the Senate. This is something that we haven't had a full discussion of in agreement here, but some of us have been talking about the use of Question Period and what would best serve a modern Senate that is fulfilling its role of sober second thought.

It has been suggested that perhaps after first reading and introduction of a government bill here in the Senate that the minister responsible be invited for a Question Period which would be focused on the legislation, to present the elements of the legislation, to be asked questions, to help inform our second reading debate in this place.

We have not had broad conversations about this yet. We don't have unanimity or agreement on this, so I'm planting a seed and hoping that the light might shine on it and it might grow. I know that you have legislation coming forward at some point in time. You might be the first minister that we ask to do this.

Do you have a view on whether or not the cabinet is open to working with us in new and different ways to try and achieve the goal of sober second thought, and more direct information, questioning and accountability from ministers for the legislation that they are asking us to review?

**Hon. Karina Gould, P.C., M.P., Minister of Democratic Institutions:** Thank you, senator, for your very interesting idea.

First of all, being here right now as a minister of the Crown in this place is an innovation, and it's an interesting thing that we're doing. I'm delighted to be here and would be delighted to come back in the future.

It's important that the Senate decide for itself how it wants to use its Question Period. The fact that ministers have been coming here pretty much on a weekly basis over the past year demonstrates openness from cabinet and from ministers to engage with the Senate in a new and different way. I would encourage all honourable senators in this place to continue to think about what is the best use of Question Period. I look forward to hearing those deliberations and working with you in the future.

#### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, the time for Question Period has expired. I'm sure all honourable senators would like to join me in thanking Minister Gould for being with us today.

**Hon. Senators:** Hear, hear!

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### ORDERS OF THE DAY

#### CANADA-EUROPEAN UNION COMPREHENSIVE ECONOMIC AND TRADE AGREEMENT IMPLEMENTATION BILL

##### FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-30, An Act to implement the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States and to provide for certain other measures.

(Bill read first time.)

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

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

[ Senator Lankin ]

#### CANADA-UKRAINE FREE TRADE AGREEMENT IMPLEMENTATION BILL

##### FIRST READING

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons with Bill C-31, An Act to implement the Free Trade Agreement between Canada and Ukraine.

(Bill read first time.)

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

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

• (1620)

#### CANADA LABOUR CODE

##### BILL TO AMEND—THIRD READING— DEBATE CONTINUED

On the Order:

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

**Hon. André Pratte:** Honourable senators, if it were true that union intimidation was systemic, as some say, you would expect the unionization rate to have remained the same at the very least. However, as I mentioned earlier, the rate has been dropping steadily for more than 30 years. Unlike what those who passed Bill C-525 seem to believe, the problem in Canada is not the strength of unions; the problem is their weakening.

[Translation]

That is the reasoning that leads me to support this other part of Bill C-4, which repeals Bill C-525.

I know that the idea of secret ballot voting is attractive. However, I will repeat that secret ballot voting is not a measure of democracy. Everything depends on the conditions in which the vote is held. In labour relations, secret ballot voting opens the door to employer intimidation.

Bill C-4 will change the federal labour relations regime back to how it was before 2015. This regime worked well, and no one was able to prove otherwise.

[English]

One last point: Bill C-4 is a fulfillment of a Liberal Party campaign promise. It is one more reason we, as unelected parliamentarians, should not oppose or amend it. Recently, and



even today, many have been critical of the Trudeau government's decision to go back on its electoral reform commitment. I share this indignation. In my opinion, a campaign promise is a contract between the party and the voters. Every effort must be made to keep it, especially when it is on a topic as important as the electoral system.

If we criticize the government for abandoning one of their electoral commitments, surely it would be inappropriate for us to defeat a bill that allows them to fulfill one.

For all of these reasons, honourable senators, and in particular because this bill will re-establish a healthy balance between unions and employers in Canada, and hopefully will reduce social inequalities, I am lending my support to Bill C-4.

(On motion of Senator Martin, debate adjourned.)

[Translation]

### CANADIAN HUMAN RIGHTS ACT CRIMINAL CODE

BILL TO AMEND—SECOND READING—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Fraser, for the second reading of Bill C-16, An Act to amend the Canadian Human Rights Act and the Criminal Code.

**Hon. Peter Harder (Government Representative in the Senate):** Honourable senators, I am rising today to speak to Bill C-16, which seeks to recognize the situation of transgender and other gender-diverse Canadians, make them less vulnerable, and affirm their equal status in our society. More specifically, Bill C-16 adds gender identity and gender expression to the list of prohibited grounds of discrimination set out in the Canadian Human Rights Act. These grounds currently include race, religion, age, sex, sexual orientation, and physical or mental disability.

Bill C-16 also amends the Criminal Code to add gender identity or expression to the definition of “identifiable groups” for the purposes of hate propaganda offences and to the list of aggravating circumstances to be considered when imposing sentences for crimes motivated by hate.

In simpler terms, within federal jurisdictions, Bill C-16 means that transgender and gender-diverse individuals will be treated in the same manner as other individuals. Anyone who publicly or wilfully incites hatred, or spreads hatred against these persons commits a criminal offence, with latitude given for freedom of speech, for example to express a religious opinion.

It is urgent that we pass Bill C-16 because this is a matter of human rights. What I mean by this is that in passing the bill we will legally satisfy the moral obligation to respect the dignity, freedom, and security of transgender and gender-diverse individuals. Unfortunately this group of people have been

disproportionately affected by crimes motivated by discrimination and hate in Canada. These vulnerable Canadians all too often live in fear of harassment, abuse and prejudice.

[English]

Prejudice, like the denial of fair opportunities in the workplace, or being made to feel judged and unwelcomed in spaces like schools, stores, restaurants, and so many other places where most of us take access and peace of mind for granted, is unacceptable. Prejudice is unacceptable.

In my personal view, the legal protections afforded transgender individuals by Bill C-16 are morally required and long overdue. As Senator Mitchell told us, Parliament first considered similar legislation in 2005, more than 10 years ago. As Senator Petitclerc told us, nine provinces and the Northwest Territories have gender identity protections in their human rights legislation.

Honourable senators, transgender Canadians have waited too long for safety and respect under our national laws. For that reason, I would urge this chamber to expeditiously move Bill C-16 to committee. The time has come.

This bill arrived in the Senate in November, and it is now February. There has been ample opportunity for all senators to join debate at second reading. We must not fall into the habit of allowing months to pass with the expectation that adjournments are sacrosanct. We must remember that each day a bill like this is adjourned, justice is denied.

To reinforce this point, I would reference the remarks of the Minister of Justice in the other place at second reading. Minister Wilson-Raybould described some of the challenges trans persons face as a result of discrimination. For example, in 2009 and 2010, the Trans PULSE Project studied the experiences of approximately 500 trans individuals in Ontario. This group reported significant employment barriers, with 13 per cent having been dismissed and 18 per cent having been refused work because they were trans; simply trans.

In light of these barriers, it is understandable that underemployment is a major problem for trans persons, who have a median income of only \$15,000, despite relatively high levels of post-secondary education.

In addition, the minister told the other place that more than half of trans persons in Ontario have symptoms consistent with clinical depression, and a shocking 43 per cent of trans adults in Ontario have attempted suicide, including 10 per cent in the last year.

We should be especially concerned for trans and gender-diverse youth. A 2011 national survey by Egale Canada on homophobia, biphobia and transphobia in Canadian schools revealed troubling results. Among trans students, 74 per cent reported verbal harassment, 49 per cent reported sexual harassment, and 37 per cent reported physical harassment related to their trans identity. More than half of the trans youth reported feeling unsafe in change rooms and washrooms. That's not right. In Canada, we must and can do better.

Passing Bill C-16 will make important legal changes to prevent and remedy discrimination and to deter and condemn the incitement of hatred. And socially, Bill C-16 will signal to trans

and gender-diverse Canadians — and to all Canadians — that we are all equal in our human dignity and before our Creator.

This is an urgent message, and we need to send it as loudly and as quickly as possible to Canada's trans and gender-diverse community. You matter, you belong, and Parliament and this Senate have your back.

• (1630)

We all welcome vigorous debate on Bill C-16, but I think we also recognize that to hold an adjournment is not to engage in sober second thought. Adjourning bills can be used as a mechanism of delay, and such practice does not do our institution credit. Canadians expect us to work as hard and as diligently as they do, to speak on these matters and to move business forward. Our chamber must deliberate, of course, but we must also decide. In situations where the critic of a bill does not speak within a reasonable time frame, the Rules ultimately afford this chamber remedies to move forward the people's business and ought to be used.

I would like to thank Senator Mitchell for sponsoring this legislation and for being a tireless advocate for transgender Canadians over the years. I would also like to thank other senators in this chamber who have added their voices to the debate, including Senators Duffy, Mercer, Jaffer, Dupuis and Petitclerc. Thanks as well to all senators for taking the time to consider this important legislation and I urge this chamber to move this bill to committee without delay.

Trans and gender diverse Canadians have waited too long for respect and safety under our laws, and the Senate must not keep them waiting any longer. Let's vote.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** I assure the chamber that my taking adjournment is not to delay, but that there are senators who do wish to speak to this, and understanding the importance of this bill, I adjourn for the remainder of my time.

**Senator Mitchell:** When is he going to speak?

**Senator Martin:** Senator Plett is not here at this time, but there are senators who wish to speak. We discussed that, and I have a list of senators who do wish to speak.

(On motion of Senator Martin, debate adjourned.)

## 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. Marilou McPhedran:** Honourable senators, thank you very much for this opportunity. This, as many know, is my first speech in the chamber.

Honourable senators, I rise today in reply to the Speech from the Throne given in this place by His Excellency the Right Honourable David Johnston, Commander-in-Chief and Governor General of Canada, on Friday, December 4, 2015, to open the First Session of the Forty-second Parliament of Canada with the Right Honourable Justin Trudeau as Prime Minister.

As a recently appointed independent senator from the province of my birth, Manitoba, this is my first opportunity to respond and, as a human rights lawyer and professor, I will address aspects of the Throne Speech as they pertain to some key issues before us in this session.

Colleagues who are interested in legal analysis of our constitutionally entrenched rights will be familiar with how some eminent scholars have written about our Constitution as a dialogue between our courts and our governments. But on another Valentine's Day in 1981, 36 years ago, here on Parliament Hill, a dialogue began with women in Canada that led to changes in our Canadian Charter of Rights and Freedoms while capturing headlines nationwide.

The then Trudeau government had cancelled a conference that was to focus on women, prompting an Ad Hoc Committee of Canadian Women on the Constitution to announce that women would not accept that exclusion and the "ad hockers," as they became known, decided to launch their very own conference, however unofficial.

Women parliamentarians crossed party lines and invited us to gather on Parliament Hill. As one of the conveners, I remember particularly the feisty, gracious welcome extended to us by the late Members of Parliament Flora MacDonald, Pauline Jewett, Margaret Mitchell and Senator Martha Bielish.

The 1981 ad hoc conference was the largest social mobilization that Canada had ever seen on women's constitutional rights until the women's marches in Canada held in solidarity with the Women's March on Washington just weeks ago, on January 21, eclipsed the 1981 numbers. I was in Washington on January 21, marching for the first but not the last time as a senator.

[ Senator Harder ]

On February 14, 1981, though, over 1,300 women and a few men, unfunded by government, overflowed the Confederation Room 200 in the West Block. What they set in motion changed our Constitution, with eventual amendments that strengthened equality rights in section 15 and added section 28, the made-in-Canada version of an ERA, an equal rights amendment similar to what our American sisters had been fighting for since first proposed to the U.S. Congress by suffragist Alice Paul in 1923.

Back in 1981, I was among the thousands of Canadian women who mobilized and lobbied for stronger women's rights in the Charter — and not just once — following the conference in February 1981 that I co-chaired, and where I met our just-retired and inimitable colleague the Honourable Nancy Ruth. However, ad hockers had to mobilize again in November of that same year, to beat back the new section 33 “override” Charter clause that threatened to eclipse the Canadian human rights amendment, section 28, which states:

Notwithstanding anything in this Charter, the rights and freedoms referred to in it are guaranteed equally to male and female persons.

In the Throne Speech, we were promised real change, so where do we find Canada ranked internationally on women's rights today? Canada's ranking on the UN Gender Inequality Index has slipped from first in 1995 to twenty-fifth in 2016, and a major indicator that dragged us down is the incidence of racism and violence experienced by indigenous women and girls in Canada.

Back in 1981, Canada was not only crafting a new Constitution with an entrenched rights Charter, but Canada also ratified the only major UN human rights treaty dedicated to women, the Convention on the Elimination of all Forms of Discrimination Against Women, generally referred to as CEDAW. The decision to ratify CEDAW was likely influenced by Canada's international embarrassment when the UN Human Rights Committee held that Canada had violated Article 27 of the International Covenant on Civil and Political Rights through Canada's Indian Act, as a result of the courage and tenacity of our now colleague Senator Sandra Lovelace Nicholas.

A few months ago at the UN in Geneva, in October, Canada reported to the CEDAW committee of experts from 23 countries elected to monitor progress in implementing our international legal obligations on women's human rights under CEDAW. Over 100 Canadian civil society organizations made their voices heard through a coalition coordinated by the Feminist Alliance for International Action, or FAFIA. The CEDAW committee released its assessment of Canada in November, and about 10 days ago, FAFIA sent each of us a summary of those findings. FAFIA noted that the UN CEDAW committee expressed concerns about women's inability to fully exercise their civil, political, economic, social and cultural rights in Canada, concluding that women's rights are not yet fully implemented and protected in Canada.

• (1640)

The CEDAW committee recommended major action. You can find their report at the website of the High Commissioner for Human Rights, ohchr.org.

The Throne Speech promised “new investments in social infrastructure.” Social infrastructure should mean recognizing that child care centres and jobs for child care workers, earning decent wages, are part of Canada's needed social infrastructure. Today, about 60 per cent of women work for pay in Canada. They are almost half of our workforce, and two thirds of them have children under six years of age. For women, having safe, affordable places where their children can be cared for while they work is essential; it's essential for families.

Child care is, as Madam Justice Rosalie Abella of our Supreme Court said so many years ago, “the ramp to women's equality.” Sadly, yesterday this did not seem to be a top concern at the round table in Washington of women business leaders with Prime Minister Justin Trudeau and President Trump. But it was heartening to hear:

... we discussed how to secure everything that we know the full power of women can do better than anybody else. ... We must work to address the barriers faced by women. ...

That would be the grammar from the forty-fifth President, not mine.

Which brings me to the Throne Speech, electoral reform promises and the impact on women's political participation, also a commitment in the CEDAW treaty. The Inter-Parliamentary Union ranks Canada as sixty-second internationally for women's political representation in its national Parliament. Just 26 per cent of federal members of Parliament are women. Nationally, elected women's representation increased, but it increased by just 1 percentage point after the 2015 federal election. At this rate, Equal Voice has projected that it will take up to 90 years before we see gender parity among members of Parliament.

Women are not running for office in equal numbers as men. Women made up just 33 per cent of candidates in the 2015 federal election. In 98 of Canada's 338 federal ridings, the candidates for the major three parties were men.

Prime Minister Justin Trudeau is making history in appointing an unprecedented number of women to the Senate as independents, and I am honoured to be one of them. But I must respectfully and firmly express my profound disappointment that changing Canada's first-past-the-post electoral system is no longer a priority for the government. I am, in this chamber, committed to a more inclusive democracy, with emphasis on alliance with indigenous peoples and building pathways to reconciliation, here in Canada and globally, with particular attention to youth and women's leadership in our constitutional democracy.

To quote Liberal member of Parliament Nathaniel Erskine-Smith in his *Huffington Post* article entitled “I'm Deeply Sorry My Party Broke Its Promise On Electoral Reform.” He said:

... there was a significant consensus among experts at the special committee that our system should be more proportional. There was a significant consensus among Canadians that we need a more co-operative government that works across party lines. And most importantly, there was a significant consensus among parties on the process to change our voting system.

Youth, who are so often told that they are the leaders of tomorrow, to them I say, “No, you are the leaders today.” The truth is that millions of youth feel betrayed by the abandonment of effective electoral reform.

I’ve worked in universities in Ontario, British Columbia, Saskatchewan and Manitoba, and I feel honoured to have been able to spend most of my time with younger people since founding the International Women’s Rights Project at York University, in 1998, when I started to bring students to Parliament and the UN to demystify national and global governance. The engagement of youth in the last election is understood to have been a key factor in deciding who is now our prime minister.

Social media is still sparking with hurt and disappointment that they have been denied electoral reform. Let me remind us all that the Throne Speech promised:

To make sure that every vote counts, the Government will undertake consultations on electoral reform, and will take action to ensure that 2015 will be the last federal election conducted under the first-past-the-post voting system.

Recent multi-year research conducted by Dr. Grace Lore of the University of British Columbia, with statistical analysis and in-depth interviews in seven countries, noted that the number of women actually elected is typically higher under proportional representation systems. According to the United Nations, to the Inter-Parliamentary Union and the Global Database of Quotas for Women, worldwide, women hold more than 25 per cent of seats in countries that use proportional electoral systems and less than 20 per cent in most countries that use plurality majority systems.

Honourable senators, as I come to a close, I want to bring a human rights lens to the Throne Speech reference to security and opportunity, stating that Canada is fundamentally a safe and peaceful country with constitutionally entrenched and cherished rights and freedoms. In 10 days, there will be a gathering of Muslim youth on the Hill, hosted by an organization to which I have been honoured to serve as an adviser, the Canadian Council of Muslim Women, which is very concerned about the exclusion of their youth and how to build a more inclusive democracy.

Colleagues, my last point is partly a question: How does exclusion and stigmatization of youth strengthen our democracy? At another time I will be speaking further in support of Bill C-16 to add gender identity and gender expression as prohibited grounds for discrimination under the Canadian Human Rights Act — long after this has been done in many provincial human rights codes — as well as adding protections for trans Canadians to the hate propaganda section of the Criminal Code.

But I want to make one observation that I hope can be heard and taken into the hearts of my colleagues in this place who are opposing the amendments and blocking us from considering this bill passed some time ago in the House of Commons.

Last week, when Senator Plett was here, I heard him speak of his opposition to Bill C-16, and I have read some senators’ concerns that Bill C-16 and new grammar on trans rights will infringe on their rights. I am not able to find any legal substance

to these concerns but, as my fellow senator from Manitoba spoke, Senator Plett referred to “these people” or “those people,” and, to my ears, I heard “othering.” Othering can be understood as an indicator of bigotry. Colleagues, bigotry does not strengthen an inclusive democracy.

• (1650)

Bill C-16’s passage is an essential step towards progress in Canada’s widely acknowledged national human rights framework being strengthened and an investment in our constitutional democracy predicated on equality rights. *Meegwetch*, merci, thank you.

**Hon. Yonah Martin (Deputy Leader of the Opposition):** Before I adjourn the debate, if I may put it on the record, I heard something that’s quite disturbing, and the senator to whom those comments were directed is not in the chamber. I do congratulate Senator McPhedran on her maiden speech, but ask that perhaps she participate in the Bill C-16 debate, which just ended, rather than mentioning honourable senators with such inflammatory language. I just wish to put that on the record and take adjournment of the debate.

(On motion of Senator Martin, debate adjourned.)

## THE SENATE

### MOTION TO CALL UPON THE GOVERNMENT TO RECOGNIZE THE GENOCIDE OF THE PONTIC GREEKS AND DESIGNATE MAY 19TH AS A DAY OF REMEMBRANCE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Merchant, seconded by the Honourable Senator Housakos:

That the Senate call upon the government of Canada:

- (a) to recognize the genocide of the Pontic Greeks of 1916 to 1923 and to condemn any attempt to deny or distort a historical truth as being anything less than genocide, a crime against humanity; and
- (b) to designate May 19th of every year hereafter throughout Canada as a day of remembrance of the over 353,000 Pontic Greeks who were killed or expelled from their homes.

**Hon. Leo Housakos:** Honourable senators, I’m honoured to rise today to second the motion of my colleague Senator Merchant, calling on the Parliament of Canada to recognize the Christian Pontian Genocide. Colleagues, I ask you to consider the following from the Center for the Study of Genocide and Human Rights at Rutgers:

They began singling out all able-bodied Greek men, forcibly conscripting them into labor battalions which performed slave labor for the Turkish war effort. Greek children were stolen and forcibly assimilated into Turkish

society. Greek villages were brutally plundered and terrorized under the pretext of internal security. Indeed, as with the Armenians, the Greeks were generally accused as a disloyal and traitorous “fifth-column,” and eventually most of the population was rounded up and forcibly deported to the interior.

There is no doubt the actions I’ve just described to you fit the legal definition of genocide as it appears in Article 2 of the UN Convention on the Prevention and Punishment of the Crime of Genocide. Indeed, those same actions against Armenians have been recognized as genocide both domestically and internationally.

However, while the Armenian genocide is widely known and acknowledged, the Pontian Genocide, which occurred concurrently, remains obscure. It is high time for that to change here in Canada, as it has in other jurisdictions.

Professor André Gerolymatos from the Stavros Niarchos Foundation Centre for Hellenic Studies at Simon Fraser University had this to say of both the Armenian and Pontic genocides:

The Ottoman genocide of the Armenians and Pontic Greek Orthodox was aimed specifically at Christian minorities in an effort to create an ethnically cleansed state.

Prior to the First World War, as their ancestors had for millennia, 700,000 Greek Orthodox lived in the Black Sea region of the Ottoman Empire, otherwise known as Pontos.

During the war, the government of the Ottoman Empire embarked on a course of reprehensible actions that led to the genocide of the Pontians, as they did with Armenians.

As Mr. Gerolymatos states, the genocide was:

... conducted sadistically, to instill terror in the minds of the surviving minorities in the Ottoman Empire. ... The genocide included: mass rape, wonton destruction, torture for the sake of torture, regardless of gender and age; children raped, often in front of their parents, before the entire family was put to death.

Husbands, wives and children were often brutally tortured prior to execution.

As was the case of the Armenians, the Ottoman regime carried out these efforts to extinguish the Pontian Greeks in stages.

At the outset of the First World War, as was the case with the Armenians, Greek Orthodox Pontic men were forced into the Turkish interior to work in labour battalions.

In January of 1916, U.S. Consul General in the Near East, George Hutton, described the start of the deportations of the Greek Orthodox Pontians from the Black Sea in a report, where he wrote:

These unfortunate human beings came through the city of Marsovan by thousands, walking for the most part during the three-days’ journey through the snow and mud.

[As intended by the Ottoman authorities] thousands fell by the wayside from exhaustion. [They came into the city] always under escort of Turkish gendarmes.

By November 1916, the Austrian Council reported that Rafet Bey, a senior Ottoman official, had told him: “We must at last do with the Greeks as we did with the Armenians. . .”

Where there was a deviation from the treatment of the Armenians to that of the Pontians was a change in tactics. It seems the Ottomans had learned from the international outrage over their actions against the Armenians. Tragically, the lesson was not one of restraint but rather one of learning to carry out the atrocities away from prying eyes.

In his report, U.S. Consul General Hutton described the treatment of the Pontians as: “... even more radical than a straight massacre, as such the Armenians suffered before.”

The following year, like Hutton before him, Austrian Chancellor Hollweg also noted that the Ottomans had changed the tactics employed in exterminating Armenians and were instead forcing the Pontians to the interior to allow them to be killed without attention from the outside world.

And the Ottomans succeeded, killing a significant portion of the Pontic people. The body count of the genocide of the Greek Orthodox Pontians was over 350,000 men, women and children. Three hundred and fifty thousand people out of 700,000 — half the population — exterminated.

We must be clear that this is a tragic fate — a genocide. Not only have the ghosts of the Pontic Greek Orthodox earned the right to confront their murderers, but to paraphrase the words of a wise man, those who forget the tragedies of the past are doomed to repeat them in the future. And indeed, the world chose to ignore the genocide of Armenians and Pontians, and we were forced to confront the Nazi Holocaust of European Jews as a result. We ignored Rwanda and are now dealing with genocides like that of the Yazidis being carried out by ISIS.

• (1700)

In asking Parliament to recognize the Pontian genocide, we aren’t asking Canada or Canadians to sit in judgment of others, and we aren’t seeking to undo actions of the past.

On the contrary, it is about acknowledging, and healing and educating, and in so doing preventing such atrocities from happening again.

Being the upper chamber of Parliament, the Senate of Canada is ideally situated for leading the way in taking a principled stand in recognizing the Christian Pontian genocide.

As the independent house of Parliament, we are less influenced by or beholden to political expediency. The Senate can and must lead the way for the Parliament of Canada as a whole in taking a just position on this important matter.

Recognition of this genocide is not an attempt at retribution but rather an acknowledgment of undeniable historical facts that is a crucial first step in true reconciliation.

This is certainly true for nations that want to be accepted as modern-day democracies. There is perhaps no greater example of this than modern-day Germany.

Imagine Germany's place in the world today had they not acknowledged the atrocities that were committed by their Nazi predecessors. Recognizing and taking responsibility for dark chapters in our history is not about judgment or punishment. And it's not about trying to undo that which cannot be undone. It is about reconciliation.

With our own history of residential schools, Canada knows that all too well. On June 11, 2008, Prime Minister Stephen Harper stood in the other place, the House of Commons, and said the following:

The government recognizes that the absence of an apology has been an impediment to healing and reconciliation. Therefore, on behalf of the Government of Canada and all Canadians, I stand before you, in this chamber so central to our life as a country, to apologize to Aboriginal peoples for Canada's role in the Indian Residential Schools system.

While Mr. Harper and his government did not directly have a hand in inflicting this terrible tragedy upon our First Nations, they did recognize it was time for the Government of Canada, the Parliament to Canada to take responsibility.

Prime Minister Harper went on to say: "The burden of this experience has been on your shoulders for far too long. The burden is properly ours as a government and as a country."

That historical acknowledgment and apology paved the way for the Truth and Reconciliation Commission, which was struck in 2009 and chaired by our honourable colleague Senator Murray Sinclair.

The commission provided a road map to reconciliation between Canada and her First Nations that was forthright in its assessment of what was done to Canada's indigenous people for generations.

While these things may have been difficult for us to hear and to take responsibility for, we had no choice but to do so in order to move forward. Admitting to wrongdoing sometimes takes courage and strength, but it shows a willingness to learn from one's failures.

Dark, ugly chapters in our history cannot be denied, especially if, as a nation, one wants to remain worthy of one's place in the world, as did Germany, for example.

Modern-day Turkey's unwillingness to even recognize the Christian genocides of the Armenians, the Assyrians and the Pontians is not becoming of the significant status they enjoy in the international community.

But colleagues, even if Turkey itself will not recognize these genocides, we as parliamentarians, and more importantly as Canadians, must stand up and be counted in denouncing genocide, past and present.

[ Senator Housakos ]

Just as we acknowledged our own dark history, we must now recognize the genocide of the Pontian Christian Greeks. As parliamentarians, we must join with our international counterparts, like Austria, the Netherlands, Sweden, Australia and the United States, states like Florida, Massachusetts, New Jersey, New York and even here at home, municipalities like Toronto, Hamilton and Ottawa, in recognizing the actions of the Ottoman Empire against the Pontians as genocide. Thank you, colleagues.

**Hon. Anne C. Cools:** Would the honourable senator take a question?

**Senator Housakos:** It would be my pleasure, senator.

**Senator Cools:** I wonder if the honourable senator could tell us what does "recognize genocide" mean?

**Senator Housakos:** Recognizing the historical facts that have occurred that have been highlighted by historians over the decades, historical documented evidence by first-hand sources at the time, like the Consul General of the United States, the High Commissioner of Austria, who were there and witnessed many of these atrocities. And of course clearly, if you look at the definition as I highlighted in my speech and the United Nations' definition of genocide, based on the evidence that we have, I think clearly indicates that this has to be a recognized genocide. No more, no less as this Parliament has done, senator, and I think you were there when it happened —

**Senator Cools:** I was.

**Senator Housakos:** I agree, and I expect to do the same now on the same basis, but under the same principles as we did a few years when we recognized the Armenian genocide, this happened at the same time. It was a concurrent genocide, carried out by the same perpetrators for the same reasons, and I think it would be noble for Canada to follow in the footsteps of other great parliaments in recognizing this atrocity.

**Senator Cools:** Could the honourable senator explain what he means when he says "the Ottomans"? You frequently said in your speech "the Ottomans." Could you tell us who "the Ottomans" are? It's like saying "the Americans." Who are the Ottomans?

**Senator Housakos:** The Ottomans are, of course —

**Senator Cools:** Tell us clearly.

**Senator Housakos:** The Ottoman Empire I think is one of the great empires in the history of mankind that conquered and was the empire in charge of the Balkans and a great chunk of the Middle East for a long period of time. Obviously it's modern-day Turkey today, Senator Cools.

I believe no one will question the existence of the Ottoman Empire, the centuries upon which, of course, they were a very powerful empire, and nobody will question the territory they occupied during that period of time. And they were an occupying force at that particular period of time in an area in Pontus, by the

way, where the Pontian Greeks were citizens of that area for centuries. There's no doubt that they also existed there for centuries.

**Senator Cools:** But you did not say “the Ottoman Empire.” You said “the Ottomans.” I wish you would be clear because I think we tend to learn better when we take in accurate information.

**Senator Housakos:** I apologize if I was not clear, but when I referred to the Ottomans, I refer to the Ottoman Empire.

**Senator Cools:** I see. I wonder if you could tell me in the motion that the Senate call on the Government of Canada to recognize the genocide of the Pontic Greeks of 1916-23, and to condemn any attempt to deny or distort a historical truth as being anything less than genocide, a crime against humanity.

Where does the power of the Senate come to condemn any statement that anybody makes that disagrees with the proposition? Where does that power come to condemn people like that? This is not a firing squad, this is not an execution group here. This is a debating chamber. These historical facts have to be established. You're asking the Senate to condemn anybody who even questions a historical fact. You haven't yet proven that it's a historical fact — your facts are historical facts.

**Senator Housakos:** Senator Cools, I would challenge you at any time to find any credible academics who will challenge the veracity of the facts that during that period of time Armenians were massacred, Assyrians were massacred and Greek Orthodox people were massacred in that particular area of the world because of an attempt on the part of the Ottoman Empire to cleanse that territory which, by the way, they historically effectively did. They cleansed that area out of millions of Christian people who were occupying that area. That is a historical fact and, again, it's a historical fact that this Parliament was compelled enough to recognize the Armenian genocide both in the House of Commons and in the Senate of Canada and by the Government of Canada.

Again, there is no credible historian who will question that the Assyrians and the Pontians concurrently were facing the same fate as the Armenians were during that period of time.

Now in terms of the mandate of this chamber, this is the upper chamber of the Parliament of Canada. We speak I think with a lot of authority when we move motions, when we move bills, when it comes to areas of principle. So we can condemn any actions, any behaviour that we think is not becoming of our values and principles in the democracy that we live in as Canadians. I think each and every one of us as senators has the right to stand up and defend those values, and of course we can ask our colleagues who want to support those values to engage with us in doing so. And of course in a democracy like ours, senator, you also have the right to have a contrarian view, which I welcome, and despite the fact we don't see eye to eye on this, I do appreciate your —

• (1710)

**Senator Cools:** You are saying we don't see eye to eye.

**The Hon. the Speaker:** Order, Senator Cools, please. We have a process here for asking questions. I don't believe Senator Housakos is finished yet.

**Senator Cools:** But, Your Honour, accusatory statements —

**The Hon. the Speaker:** Order, please.

Senator Housakos, have you finished your answer?

**Senator Housakos:** I have.

**The Hon. the Speaker:** Senator Cools, do you wish to ask another question?

**Senator Cools:** Well, I wanted to ask another question.

**The Hon. the Speaker:** Well, Senator Housakos's time has expired.

**Senator Cools:** I don't think, Senator Furey, there's a need for you to exert any energy on this. I was rising to move the adjournment of the debate.

(On motion of Senator Cools, debate adjourned.)

[Translation]

## REGIONAL UNIVERSITIES

### INQUIRY—DEBATE ADJOURNED

**Hon. Claudette Tardif** rose pursuant to notice of December 8, 2016:

That she will call the attention of the Senate to regional universities and the important role they play in Canada.

She said: Honourable senators, I want to draw your attention to how important small- and mid-sized universities are to our communities, our regions and Canada as a whole because I believe that these universities should be given greater recognition.

There are a number of academic models in Canada, and these institutions of higher learning all contribute, in their own way, to the development and vitality of their respective communities and communities across the country. Small- and mid-sized universities make many vital contributions.

[English]

Let me give you a few examples of the contributions small to mid-sized universities, which sometimes self-identify as regional universities, bring to our communities.

Universities like the University of Lethbridge, the University of Northern British Columbia, Mount Allison University, Acadia University, the University of Moncton, and the Campus Saint-Jean of the University of Alberta, for example, offer outstanding experiences to their students, as outlined time and again in numerous national student satisfaction surveys.

One such survey was published in October 2016 by *Maclean's* magazine, as it does every year, and smaller universities did particularly well in this regard. In this specific instance, students rated their schools on everything from the calibre of their professors to the quality of mental health services.

These small to mid-sized universities also play a very important role in making university education more accessible to the population they serve. This is exemplified, notably, by increased university participation rates, particularly among traditionally under-represented groups, such as individuals living outside of large urban areas, First Nations and first-generation Canadians.

The community of Prince George, British Columbia, of our colleague Senator Neufeld, is a stirring example of how proximity alone can have an impact on university participation rates. Indeed, according to Statistics Canada, the participation rate in that city for people aged 20 to 24 went from 18.5 per cent in 1996 to 26.8 per cent in 2001, a mere seven years after the University of Northern British Columbia first opened its doors.

Also according to Statistics Canada, these figures are consistent with university openings in other communities across the country.

In addition, small- and mid-sized universities are major employers and key drivers of our economy. They promote and foster entrepreneurship, instigate partnerships with community groups and industry, and help attract talent to their city or region. In fact, regional universities continue to demonstrate the important role they play in terms of economic diversification and social development.

For example, an article published in *University Affairs* a few years ago featured a study that concluded that Atlantic Canada's generally small- and mid-sized universities had an economic impact of more than \$4.4 billion. This same study also showed that these universities collectively employed over 27,000 full-time and part-time employees. But the most striking figure, in my mind, was the fact that Atlantic Canadian universities accounted for 63 per cent of the region's total research and developmental output, helping attract in the process technology companies to this part of Canada.

Given what we know about the future of the Canadian economy being largely knowledge-based, skills-based and innovation-driven, small- and mid-sized universities are perhaps our greatest enablers in making this happen from coast to coast to coast and not just in a select few large urban areas.

Let me provide you with another example, this time closer to home. The University of Lethbridge, founded less than five decades ago, has already made significant contributions to its community and to Alberta. Indeed, this university, smaller than most of its peers but consistently growing, has, since its inception, recognized its location on traditional Blackfoot territory and has become a national leader in the creation of programs and institutions tailored to meet the needs of the First Nations, Metis and Inuit peoples.

The establishment of a Department of Native American studies in 1976, and later a major in Aboriginal health, a Native American Students' Association and a First Nations Metis & Inuit Alumni Chapter are just a few such initiatives.

Another innovative enterprise, the Community Research Exchange, now facilitates the interaction and exchange of ideas between the university and the external community, and many ideas do, in fact, stem from the University of Lethbridge.

In today's *Lethbridge Herald*, for example, University of Lethbridge President Mike Mahon identified three areas

of break; research and innovation for the university: health care, smart agriculture and environmental technologies.

The University of Lethbridge has become one of the top research universities in the country at the undergraduate level. In addition, it is now estimated that the University of Lethbridge has an annual provincial economic impact of about \$1.1 billion, nearly half of it in southern Alberta. A case in point is the recent Cavendish Farms announcement of a major potato processing plant to be built in Lethbridge, in large part because of the presence of the university and its research ecosystem.

[Translation]

Honourable senators, there are also examples of small- and mid-sized francophone universities that have a major impact on their communities. The Association des collèges et universités de la francophonie canadienne alone represents a network of 21 French-language post-secondary educational institutions outside Quebec, including about 15 small- and mid-sized universities.

The goal of this Canada-wide network is, and I quote:

... to help expand access to post-secondary education in French while enhancing the vitality of the Canadian francophonie and promoting the development of Canadian society as a whole.

• (1720)

This association also seeks to maintain, and I quote:

... collaborative relationships among its members in relation to both education and research, [to represent] their common interests by joining with national partners, and [to provide] them with visibility, both in Canada and internationally.

Among the universities that belong to this network, the Université de Moncton, the Université de Saint-Boniface in Winnipeg, and the Campus Saint-Jean in Alberta are perfect examples of small and medium-sized institutions that are essential to the development of the francophone communities in those provinces and to maintaining the vitality of those communities, in addition to being important economic and cultural assets for the regions where they are located.

The education these universities provide for young bilingual leaders in fields like business administration, engineering, nursing, education, the natural and social sciences and the humanities is an asset to the region and to our country. These graduates often become role models for their communities and promote them in their province and their country and at the international level.

The Campus Saint-Jean of the University of Alberta, where I have had the privilege of being a professor, a researcher and dean, plays a crucial role in the Franco-Albertan community and has impacts across Canada. First, because of its rich history, the university is part of the province's heritage. Since 1908, this dynamic campus has offered a constantly growing Franco-Albertan and francophile population the opportunity to obtain a top-notch education in French.

Because of its unique linguistic location west of Manitoba and its many fields of expertise, the Campus Saint-Jean exerts a strong



attraction for human resources and research in the French language. Its Canadian studies institute, for example, gives students and members of the community access to professors who are recognized for the quality of their research on Canadian francophone communities and federalism, and to annual conferences on a range of subjects, to hear renowned speakers.

Another example of the Campus Saint-Jean's great contribution to the francophone community of Alberta and the West is undeniably its teacher training program, which meets the growing need for qualified teachers who are able to teach in French-language schools and French immersion programs. The Campus Saint-Jean admits more than 100 new students every year from all across Canada into its education programs, but this is nowhere near enough to meet the demand. The Campus Saint-Jean could do more, but funding is insufficient. The Campus Saint-Jean has also enabled Bonnie Doon, the neighbourhood where it is located, to establish itself as Edmonton's francophone neighbourhood and to become the heart of the francophone community in the entire city, if not the entire province.

Honourable colleagues, in spite of the fact that education is a provincial responsibility, the federal government still has a fundamental role to play in funding university research and infrastructure and in student financial aid, as we can see in the March 2016 federal budget and the announcements made in that regard in the last year. I am thinking, for example, of the increase in student aid for students from low-income and middle-class families and the post-secondary institutions strategic investment fund, which will provide up to \$2 billion over the next three years to accelerate the completion of infrastructure projects at Canada's universities and colleges.

For example, Bishop's University, a small English-language university in Sherbrooke, will invest \$24.5 million to modernize its library and natural sciences laboratory. This has been made possible through a federal government investment of \$10.24 million that was announced just two weeks ago. These infrastructure investments will definitely have a major impact on that institution and community for many decades to come.

Given those investments, the government of Canada has a definite influence on the development of our universities that can be felt even by smaller institutions located both within and outside the large metropolitan regions. However, in spite of announcements like these that will benefit a number of universities, there seems to be a trend that has been growing over the past few years in industrialized countries of concentrating funding for research and research infrastructure in a few of the nation's leading universities. Canada is no exception. The stated goal is to ensure that the centres of excellence, and thus Canada, remain competitive on the international markets.

The results of the first two competitions associated with the Canada First Research Excellence Fund are telling. The Fund was created by the Government of Canada in 2014 to help post-secondary educational institutions excel globally in research areas that will create long-term economic benefits for Canada. The \$1.25 billion awarded by the Fund to date has been

divided among only 17 universities, including one affiliated university, with 85 per cent of that amount being allocated to universities that are part of the Group of Canadian Research Universities (U15), which represents the 15 largest research universities in Canada. Only one university with fewer than 18,000 students received any of the money.

While I am happy to see such investments being made by the government, and to see that these funds are being awarded on the basis of the strengths of each of the universities, it would be counterproductive for the more limited resources and less intensive lobby of our small- and mid-sized universities, rather than their respective academic specialties, to become the determining factor in the allocation of funds for research and research infrastructure, whether through the Canada First Research Excellence Fund or through any other major funding bodies. Ultimately, this could well undermine the objective of ensuring that Canada is competitive on the international markets, today and in the future, particularly if we are to believe certain studies that say that the prosperity of regional economies is closely tied to the health of their colleges and universities.

May I have five more minutes?

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

**Hon. Senators:** Agreed.

**Senator Tardif:** In other words, we would do well not to neglect our small and medium-sized universities, especially those outside large urban centres, if we want Canada to remain a prosperous and equitable economy.

In conclusion, honourable senators, the main purpose of my speech was to underscore the importance of small and medium-sized universities in Canada to reinforce the idea that federal policy and program development must take into account the added value of these universities in matters of economic, social, and human development.

We must continue to support these universities, not just by way of funding to make education accessible, but also in matters of research, research infrastructure, and programming that recognizes the specificity of small and medium-sized universities, especially in the regions.

[English]

Honourable colleagues, universities play an essential role in the creation and the dissemination of knowledge, and these are important factors in economic and social growth.

Let us make sure that the creation and dissemination of this knowledge is as widespread as possible in 21st century Canada by recognizing, first and foremost, the value of small and mid-sized universities. These universities matter to our country, and they matter greatly.

(On motion of Senator Gagné, debate adjourned.)

(The Senate adjourned until tomorrow at 2 p.m.)

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